



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution of Preliminary Determination to Propose the Formation of a Maintenance Assessment District, to Levy an Annual Assessment for Cost Incurred and Preliminary Approval of Engineer's Report; and Adopt Resolution of Intention to Order the Formation of a Maintenance Assessment District, to Levy and Collect an Annual Assessment for Maintenance and Operation of Improvements and for Costs and Expenses and Setting Time and Place of Public Meeting and Public Hearing and Setting Forth Mailed Property Owner Ballot Procedure and Notice

MEETING DATE: August 20, 2003

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the following resolutions:

1. Resolution of Preliminary Determination to Propose the Formation of a Maintenance Assessment District, to Levy an Annual Assessment for Cost Incurred and Preliminary Approval of Engineer's Report.
2. Resolution of Intention to Order the Formation of a Maintenance Assessment District, to Levy and Collect an Annual Assessment for Maintenance and Operation of Improvements and for Costs and Expenses and Setting Time and Place of Public Meeting and Public Hearing and Setting Forth Mailed Property Owner Ballot Procedure and Notice.

BACKGROUND INFORMATION: Developer of the Almondwood Estates Subdivision, Tract No. 3273, has elected to form an assessment district pursuant to the Landscaping and Lighting Act of 1972 for the purpose of installing and/or maintaining the public improvements described in Exhibit 1.

Almondwood Estates consists of a 74-lot residential subdivision in the southeastern portion of the City. The project is being developed by KB Home. The action requested of the City Council will initiate the steps leading to formation of the district and preliminarily approve the Engineer's Report. Additionally, the City Council will set a public meeting for October 1, 2003, to hear public testimony on the formation and proposed assessments and will set a public hearing for October 15, 2003, to receive further public input and to finally act to form the district. A schedule of events culminating in the election to form the district and approving the Engineer's Report is provided in Exhibit 2.

The Engineer's Report, prepared by Thompson-Hysell Engineers, a division of The Keith Companies, Inc., of Modesto, California, is attached as Exhibit 3. It presents a description of the project, defines the area, describes the improvements to be maintained and provides a cost estimate of the First Year Estimated Assessment and sets the Maximum Annual Assessment amount. Exhibit 4 presents the tabulation of estimated costs. The annual assessment includes costs for maintaining the improvements, utilities, replacement reserves, and administration of the district. Three principal maintenance activities are covered by the district, including the reverse frontage wall and landscaping along Stockton Street and Almond Drive, maintenance of the street trees within the parkway areas of the subdivision and a fair share

APPROVED: _____

H. Dixon Flynn
H. Dixon Flynn -- City Manager

Adopt Resolution of Preliminary Determination to Propose the Formation of a Maintenance Assessment District, to Levy an Annual Assessment for Cost Incurred and Preliminary Approval of Engineer's Report; and Adopt Resolution of Intention to Order the Formation of a Maintenance Assessment District, to Levy and Collect an Annual Assessment for Maintenance and Operation of Improvements and for Costs and Expenses and Setting Time and Place of Public Meeting and Public Hearing and Setting Forth Mailed Property Owner Ballot Procedure and Notice

August 20, 2003

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of public park maintenance. In May of each ensuing year, an Engineer's Report will be prepared and presented to the City Council for approval that will set the Estimated Assessment for the following tax year. As is the case now, the costs in the Engineer's Report will be based upon actual contract prices. It is anticipated that administrative services will be bid and contracted on an annual basis.

Presently, the subdivision is comprised of three parcels that are expected to subdivide upon and subsequent to the formation of the assessment district. The proposed subdivision will yield approximately 74 parcels (residential lots) and will have a proposed assessment roll as set forth in Exhibit 5.

Election ballots will be distributed to the owners of record as of the date of ballot preparation. Voting is based upon acres and two-thirds majority vote is required to form the district. It is expected that none of the lots will be sold to individual homeowners prior to formation of the district on October 15, 2003.

The First Year Assessment will be added to the tax roll for Fiscal Year 2004-05 and the first revenues from the district will not be received until December 2004. Until such time the City receives funds from the district, the developer remains responsible for the regular and ongoing maintenance of the public wall and landscape improvements. This requirement will be addressed in an amendment to the Subdivision Improvement Agreement that will be presented to the City Council October 15, 2003.

FUNDING: Applicant fees and reimbursement from funds collected through the assessment district.


for Richard C. Prima, Jr.
Public Works Director

Prepared by F. Wally Sandelin, City Engineer

RCP/FWS/pmf

Attachments

cc: Randy Hays, City Attorney
Tony Goehring, Parks and Recreation Director
George Bradley, Street Superintendent

EXHIBIT 1

DESCRIPTION OF IMPROVEMENTS

- A. A masonry wall and 8.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1,220 lineal feet.
- B. A masonry wall and 8.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 lineal feet.
- C. Street parkway trees located with the public street within the District Zone 1 boundary.
- D. Public park land area of 0.820 acres in size equivalent to current level of service standard for park area within the City of 3.5 acres per thousand persons served.

Exhibit 2

City of Lodi LLD Almondwood Estates Zone 1 Landscape Maintenance Assessment District Formation and Budget Election

Time Table

<u>Date</u>	<u>Activity/Tasks</u>
July 30, 2003	Distribution of preliminary draft Engineer's Report
August 1, 2003	Initial Resolutions to City Council Communication, Finalized Engineer's Report
August 20, 2003	City Council Meeting to: Resolution of Preliminary Determination to Form District Resolution of Intention (sets Public Meeting on October 1, 2003 and Public Hearing and date of Election on October 15, 2003)
August 29, 2003	Last day to Mail Notice and Ballot
September 11, 2003	Council Communication re: October 1, 2003 Public Meeting
September 25, 2003	Resolutions to City Approve Engineer's Report Establish Assessment District Tally vote/Declare results Council Communication
October 1, 2003	City Council Meeting: Public Meeting
October 15, 2003	Last day to receive Ballots
October 15, 2003	City Council meeting to: Public Hearing/Tally vote/Declare results Establish Assessment District

EXHIBIT 3

**ENGINEER'S REPORT
ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI**

FISCAL YEAR 2004-2005

PREPARED BY:

**Thompson-Hysell Engineers,
a division of The Keith Companies, Inc.
1016 12th Street
Modesto, CA 95354**

AUGUST 2003

**ANNUAL ENGINEER'S REPORT
FOR THE 2004-2005 FISCAL YEAR**

ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
CITY OF LODI
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits the enclosed annual report as directed by the City Council.

DATED: _____, 2003.

Thompson-Hysell Engineers
Engineer of Work

BY:

Michael T. Persak
RCE 44908

I HEREBY CERTIFY that the enclosed Annual Engineer's Report, together with Boundary Map, Assessment, and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Lodi, California on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was filed with the Auditor of the County of San Joaquin on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

August 11, 2003

The Honorable Mayor and
City Council of The City of
Lodi, CA

To Whom It May Concern:

This report is prepared pursuant to and in compliance with the requirements of the "Landscaping and Lighting Act of 1972," as amended, commencing with the Streets and Highways code sections 22500, et seq. for the creation of a new zone (Almondwood Estates) in the Lodi Consolidated Landscape Maintenance Assessment District No. 1.

BACKGROUND

The Almondwood Estates zone consists of a 74-lot residential development in the southeastern portion of the City of Lodi. The development is being pursued by KB Home. This report is relative to the proposed Almondwood Estates Landscape Maintenance District of the City of Lodi Consolidated Landscape Maintenance Assessment District which provides annual funds for the maintenance of various public landscape improvements.

PHASED DEVELOPMENT

The Almondwood Estates development is currently anticipated to be constructed in a single phase. Annually, the additional public amenity improvements and the additional developed areas, if any, shall be identified. The costs of the maintenance of the new improvements, if any, shall be added to and included in the next annual landscape maintenance budget. These amounts for the additional improvements were accounted for in determining the maximum annual assessment. The Almondwood Estates project, when completed, will include an estimated 74 single-family residential lots.

ASSESSMENT DISTRICT AREA

The area of Almondwood Estates is described as all of the property within the following assessor's parcels identified by assessor's number (APN):

<u>Book</u>	<u>Page</u>	<u>Parcel</u>
062	06	4, 12, 13

A boundary map is attached to this Engineer's Report as Exhibit C. The assessment diagrams for the Almondwood Estates Landscape Maintenance District are attached to the Engineer's Report as Exhibit D. Sheet No. 1 of the assessment diagrams is a simple overall boundary map. Sheet 2 is the County Assessor's map and is incorporated in, and made a part of, the assessment diagram.

PLANS AND SPECIFICATIONS

As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by the Almondwood Estates Landscape Maintenance District shall be filed with the City of Lodi and will be incorporated into this report by reference.

DESCRIPTION OF AREAS TO BE MAINTAINED (SEE EXHIBIT B)

The Almondwood Estates Landscape Maintenance District is created to provide funding for the continued maintenance of the public areas which are described below. During the installation period for each phase, the installer of the improvements will maintain the new improvements until the following June 30 or until such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.

The following improvements shall be included in the District upon their completion (also see Exhibit B).

1. Description of Improvements for Future Development

- A. A masonry wall and 8.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1220 lineal feet.
- B. A masonry wall and 8.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 lineal feet.
- C. Street parkway trees located with the public street within the District Zone 1 boundary.
- D. Public park land area of 0.820 acres in size equivalent to current level of service standard for park area within the City of 3.5 acres per thousand persons served.

ALLOCATION OF COSTS

Assessments for the Almondwood Estates Landscape Maintenance District are apportioned in a manner intended to fairly distribute the amounts among all assessable developed parcels in proportion to the estimated benefits to be received by each such parcel. A parcel is considered as being developed by reason of having been included as a lot or parcel in the Almondwood Estates recorded Final Map or being included within the active developed area in the case of an existing parcel. The criteria for apportioning the costs for the maintenance makes use of a dwelling unit equivalent Factor (dueF) to calculate the benefit for all uses in terms of equivalent dwelling units. The terms, definitions, and procedures followed to develop the annual assessments are as follows:

1. Dwelling Unit Equivalent Factor (dueF)

The dueF for each use is as follows:

E. Single-Family Residential

All parcels determined to be developed for single-family use shall have a dueF of 1.0 for each parcel.

F. Multiple-Family Residential

All parcels determined to be developed for multiple-family residential, other than duplex or triplex uses, shall have a dueF of 5.0 per acre for each parcel, in general representative of the approximate single-family yield if the area were developed for that use.

C. Commercial/Office

All parcels determined to be developed for commercial or office uses shall have the dueF factor calculated as follows:

5 dueF per acre for the first 7.5 acres

2.5 dueF per acre for the next 7.5 acres

1.25 dueF per acre for all acreage over 15 acres.

D. Other Uses

All parcels determined to have uses other than identified above shall have a dueF established at the time of the first annual budget affecting such areas as determined by the Engineer or other officer appointed by the City of Lodi to prepare the annual cost spread. The determined dueF shall follow the character of the factors assigned above as nearly as practicable, but the determination shall be the sole responsibility of the appointed party and the City of Lodi.

E. Zero Dwelling Unit Equivalent Factor (dueF)

Certain parcels, by reason of use, size, shape, or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

2. Area Adjustments

Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

3. Compilation

Annually, about May 15, following the determination of the dwelling unit equivalent Factor (dueF) for all developed parcels and the determination of the list of developed parcels by APN for the next fiscal year, all single-family or duplex/triplex residential parcels shall have a dwelling unit equivalent (due) assigned to each parcel equal to the dueF for that parcel. For all parcels other than single-family or duplex/triplex residential parcels, the product of the dueF times the area or adjusted usable area of the parcel, as appropriate, shall be calculated and shall be the due assigned. For developed parcels, the sum of the due assigned to each single-family due for each other parcel shall equal the total due for the next fiscal year. The total amount of revenue required for the next fiscal year shall then be divided by the total due to calculate the assessment per due for the next fiscal year. Parcels defined as not developed for the purposes of determining the landscape maintenance assessments will all have a zero dueF and consequently a zero due and a zero assessment.

4. Allocation of Assessments

The assessment for wall maintenance for the next fiscal year shall then be set for each parcel as the product of the calculated dwelling unit equivalent (due) for each parcel, multiplied by the assessment per due for the next fiscal year.

METHOD OF ASSESSMENT SPREAD

In compliance with the provisions of Proposition 218, adding Article XIII D to the California Constitution, the benefits conferred on each parcel within the Lodi Consolidated Landscape Maintenance District No. 1 are particular and distinct benefits (hereinafter "special benefits") over and above general benefits conferred on such property or to the public at large, in that the individual letter-designated zones in the District each represents a common unit to provide landscape, park, and related amenity maintenance, and monitored irrigation for the development of the property within the individual letter-designated zones in the District generally for residential and related urban uses. Benefits are determined to be 100% special benefits and 0% general benefits. Also, in keeping with the requirements of Proposition 218, no annual individual assessments shall be increased above the amounts assessed under the established criteria for each zone for the preceding fiscal year without an election approval.

The base objective of the assessment spread is to distribute costs in accordance with the benefits received. Costs will be spread equally to each residential lot as follows:

1. Lots 1-74 in Almondwood Estates shall be assessed equally for the estimated costs of maintenance for the fiscal year 2004-2005.

ANNUAL ESCALATION

The maximum assessment amount for each fiscal year shall be increased in an amount equal to the greater of: 1) five percent (5.0%), or 2) the percentage increase of the Local Consumer Price Index (CPI). Consumer Price Index applied is for the San Francisco-Oakland-San Jose County Area for All Urban Consumers, as developed by the U.S. Bureau of Labor Statistics for a similar period of time.

ADMINISTRATION

It is intended that the City of Lodi, either directly or by subcontract, shall have the responsibility to establish an ongoing Landscape Maintenance Management entity to be known as the Landscape Maintenance District Manager which shall be responsible to establish the annual budget, keep an accounting of the maintenance and operational administrative costs, administer and perform the landscape maintenance either directly or by subcontract, pay all fees, utility costs, taxes, and any and all other operating costs.

ESTIMATE OF COSTS

The location and size of a park serving this subdivision are designated in Park, Recreation and Open Space Plan (1994). The estimated costs are for public amenity maintenance only. All improvements will be installed at no cost to the Landscape Maintenance Assessment District. The assessment will not be levied until needed, upon development and City acceptance of the improvements.

Items considered in the maintenance cost include, but are not limited to: water for plants and trees, weeding, pruning, mowing, replacement of plants and trees that may die, maintenance of pavement and sidewalks, maintenance of walls, rebuilding damaged walls, removal of graffiti, and maintaining and replacing all sprinkler lines and heads.

The annual costs estimated to be collected with the 2004-2005 taxes for the developed areas are as follows:

	<u>FY 2004-05 ESTIMATED ASSESSMENT</u>	<u>FY 2004-05 MAXIMUM ASSESSMENT</u>
OPERATION COSTS		
Landscape		
Maintenance	\$5,500.00	\$5,500.00
Repair/Replacement	\$700.00	\$700.00
Water	\$300.00	\$300.00
Electricity	\$200.00	\$200.00
Replacement Reserve	<u>\$300.00</u>	<u>\$300.00</u>
Subtotal Landscape	\$7,000.00	\$7,000.00
Street Trees	\$1,900.00	\$1,900.00
Future Park Site	\$0.00	\$8,200.00
Walls		
Repair/Maintenance/Graffiti Control	\$2,700.00	\$2,700.00
Replacement Reserve	<u>\$1,600.00</u>	<u>\$1,600.00</u>
Subtotal Walls	\$4,300.00	\$4,300.00
Subtotal Operation Costs	\$13,200.00	\$21,400.00

	<u>FY 2004-05 ESTIMATED ASSESSMENT</u>	<u>FY 2004-05 MAXIMUM ASSESSMENT</u>
DISTRICT ADMINISTRATION COSTS		
Annual Engineer's Report	\$4,000.00	\$4,000.00
Publication	\$100.00	\$100.00
City Administration Fee	\$2,000.00	\$2,000.00
County Administration Fee	<u>\$900.00</u>	<u>\$900.00</u>
Subtotal Administration Costs	\$7,000.00	\$7,000.00
Contingency	\$1,408.00	\$1,422.00
Total Estimated Revenue Required for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total Appropriation Required from Existing Fund Balance	\$0.00	\$0.00
Total Estimated Assessment for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total dueF	74	74
Assessment per dueF	\$292.00	\$403.00
MAXIMUM ANNUAL ASSESSMENT		\$403.00

ASSESSMENT ROLL

The assessment roll for the fiscal year 2004-2005 is as follows:

Assessment No.	APN No.	Future Lot Nos.	Owner	No. of Residential Lots	2004-2005 Est. Assessment Amount	2004-2005 Max. Annual Assessment Amount
1	062-060-04	Lots 1-27, 28 (portion), 64 (portion), 66 (portion), 67-74	Concord Development Inc.	36	\$10,512.00	\$14,508.00
2	062-060-12	28 (portion), 29-35, 36 (portion), 54-56 (portion), 57-63, 64 (portion), 65, 66 (portion)	Concord Development Inc.	19	\$5,548.00	\$7,657.00
3	062-060-13	36 (portion), 37-53, 54-56 (portion)	Allen H. Liu	19	\$5,548.00	\$7,657.00
Total				74	\$21,608.00	\$29,822.00

The parcels in this subdivision are expected to subdivide upon and subsequent to the formation of Zone 1. The proposed subdivision will yield approximately 74 parcels (residential lots) and will have a proposed assessment roll, based on the above criteria and budget, set forth in Exhibit A.

The foregoing Engineer's Report and the estimate of costs, as well as the Assessment Diagram and Assessment Roll, which are attached hereto, are presented for your approval by resolution dated this _____ day of _____, 2003.

THOMPSON-HYSELL ENGINEERS
Engineer of Work

BY:
Michael T. Persak
RCE 44908

EXHIBIT 4**SUMMARY OF ESTIMATED DISTRICT COSTS**

	FY 2004-05 ESTIMATED <u>ASSESSMENT</u>	FY 2004-05 MAXIMUM <u>ASSESSMENT</u>
OPERATION COSTS		
Landscape		
Maintenance	\$5,500.00	\$5,500.00
Repair/Replacement	\$700.00	\$700.00
Water	\$300.00	\$300.00
Electricity	\$200.00	\$200.00
Replacement Reserve	<u>\$300.00</u>	<u>\$300.00</u>
Subtotal Landscape	\$7,000.00	\$7,000.00
Street Trees	\$1,900.00	\$1,900.00
Public Park Area	\$0.00	\$8,200.00
Walls		
Repair/Maintenance/Graffiti Control	\$2,700.00	\$2,700.00
Replacement Reserve	<u>\$1,600.00</u>	<u>\$1,600.00</u>
Subtotal Walls	\$4,300.00	\$4,300.00
Subtotal Operation Costs	\$13,200.00	\$21,400.00
DISTRICT ADMINISTRATION COSTS		
Annual Engineer's Report	\$4,000.00	\$4,000.00
Publication	\$100.00	\$100.00
City Administration Fee	\$2,000.00	\$2,000.00
County Administration Fee	<u>\$900.00</u>	<u>\$900.00</u>
Subtotal Administration Costs	\$7,000.00	\$7,000.00
Contingency	\$1,408.00	\$1,422.00
Total Estimated Revenue Required for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total Appropriation Required from Existing Fund Balance	\$0.00	\$0.00
Total Estimated Assessment for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total dueF74	74	
Assessment per dueF	\$292.00	\$403.00

**EXHIBIT 5
ASSESSMENT ROLL
ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI, CA**

DIAGRAM NUMBER	COUNTY ASSESSOR NUMBER	UNIT NO.	LOT NO.	FY 2004-2005 ESTIMATED ASSESSMENT AMOUNT	FY 2004-2005 MAXIMUM ASSESSMENT AMOUNT
1	062-060-04	Almondwood Estates	Lot No. 1	\$292.00	\$403.00
2	062-060-04	Almondwood Estates	Lot No. 2	\$292.00	\$403.00
3	062-060-04	Almondwood Estates	Lot No. 3	\$292.00	\$403.00
4	062-060-04	Almondwood Estates	Lot No. 4	\$292.00	\$403.00
5	062-060-04	Almondwood Estates	Lot No. 5	\$292.00	\$403.00
6	062-060-04	Almondwood Estates	Lot No. 6	\$292.00	\$403.00
7	062-060-04	Almondwood Estates	Lot No. 7	\$292.00	\$403.00
8	062-060-04	Almondwood Estates	Lot No. 8	\$292.00	\$403.00
9	062-060-04	Almondwood Estates	Lot No. 9	\$292.00	\$403.00
10	062-060-04	Almondwood Estates	Lot No. 10	\$292.00	\$403.00
11	062-060-04	Almondwood Estates	Lot No. 11	\$292.00	\$403.00
12	062-060-04	Almondwood Estates	Lot No. 12	\$292.00	\$403.00
13	062-060-04	Almondwood Estates	Lot No. 13	\$292.00	\$403.00
14	062-060-04	Almondwood Estates	Lot No. 14	\$292.00	\$403.00
15	062-060-04	Almondwood Estates	Lot No. 15	\$292.00	\$403.00
16	062-060-04	Almondwood Estates	Lot No. 16	\$292.00	\$403.00
17	062-060-04	Almondwood Estates	Lot No. 17	\$292.00	\$403.00
18	062-060-04	Almondwood Estates	Lot No. 18	\$292.00	\$403.00
19	062-060-04	Almondwood Estates	Lot No. 19	\$292.00	\$403.00
20	062-060-04	Almondwood Estates	Lot No. 20	\$292.00	\$403.00
21	062-060-04	Almondwood Estates	Lot No. 21	\$292.00	\$403.00
22	062-060-04	Almondwood Estates	Lot No. 22	\$292.00	\$403.00
23	062-060-04	Almondwood Estates	Lot No. 23	\$292.00	\$403.00
24	062-060-04	Almondwood Estates	Lot No. 24	\$292.00	\$403.00
25	062-060-04	Almondwood Estates	Lot No. 25	\$292.00	\$403.00
26	062-060-04	Almondwood Estates	Lot No. 26	\$292.00	\$403.00
27	062-060-04	Almondwood Estates	Lot No. 27	\$292.00	\$403.00
28	062-060-04,	Almondwood Estates	Lot No. 28		
	062-060-12			\$292.00	\$403.00
29	062-060-12	Almondwood Estates	Lot No. 29	\$292.00	\$403.00
30	062-060-12	Almondwood Estates	Lot No. 30	\$292.00	\$403.00
31	062-060-12	Almondwood Estates	Lot No. 31	\$292.00	\$403.00
32	062-060-12	Almondwood Estates	Lot No. 32	\$292.00	\$403.00
33	062-060-12	Almondwood Estates	Lot No. 33	\$292.00	\$403.00
34	062-060-12	Almondwood Estates	Lot No. 34	\$292.00	\$403.00
35	062-060-12	Almondwood Estates	Lot No. 35	\$292.00	\$403.00
36	062-060-12,	Almondwood Estates	Lot No. 36		
	062-060-13			\$292.00	\$403.00
37	062-060-13	Almondwood Estates	Lot No. 37	\$292.00	\$403.00
38	062-060-13	Almondwood Estates	Lot No. 38	\$292.00	\$403.00
39	062-060-13	Almondwood Estates	Lot No. 39	\$292.00	\$403.00
40	062-060-13	Almondwood Estates	Lot No. 40	\$292.00	\$403.00
41	062-060-13	Almondwood Estates	Lot No. 41	\$292.00	\$403.00
42	062-060-13	Almondwood Estates	Lot No. 42	\$292.00	\$403.00

DIAGRAM NUMBER	COUNTY ASSESSOR NUMBER	UNIT NO.	LOT NO.	FY 2004-2005 ESTIMATED ASSESSMENT AMOUNT	FY 2004-2005 MAXIMUM ASSESSMENT AMOUNT
43	062-060-13	Almondwood Estates	Lot No. 43	\$292.00	\$403.00
44	062-060-13	Almondwood Estates	Lot No. 44	\$292.00	\$403.00
45	062-060-13	Almondwood Estates	Lot No. 45	\$292.00	\$403.00
46	062-060-13	Almondwood Estates	Lot No. 46	\$292.00	\$403.00
47	062-060-13	Almondwood Estates	Lot No. 47	\$292.00	\$403.00
48	062-060-13	Almondwood Estates	Lot No. 48	\$292.00	\$403.00
49	062-060-13	Almondwood Estates	Lot No. 49	\$292.00	\$403.00
50	062-060-13	Almondwood Estates	Lot No. 50	\$292.00	\$403.00
51	062-060-13	Almondwood Estates	Lot No. 51	\$292.00	\$403.00
52	062-060-13	Almondwood Estates	Lot No. 52	\$292.00	\$403.00
53	062-060-13	Almondwood Estates	Lot No. 53	\$292.00	\$403.00
54	062-060-12, 062-060-13	Almondwood Estates	Lot No. 54	\$292.00	\$403.00
55	062-060-12, 062-060-13	Almondwood Estates	Lot No. 55	\$292.00	\$403.00
56	062-060-12, 062-060-13	Almondwood Estates	Lot No. 56	\$292.00	\$403.00
57	062-060-12	Almondwood Estates	Lot No. 57	\$292.00	\$403.00
58	062-060-12	Almondwood Estates	Lot No. 58	\$292.00	\$403.00
59	062-060-12	Almondwood Estates	Lot No. 59	\$292.00	\$403.00
60	062-060-12	Almondwood Estates	Lot No. 60	\$292.00	\$403.00
61	062-060-12	Almondwood Estates	Lot No. 61	\$292.00	\$403.00
62	062-060-12	Almondwood Estates	Lot No. 62	\$292.00	\$403.00
63	062-060-12	Almondwood Estates	Lot No. 63	\$292.00	\$403.00
64	062-060-04, 062-060-12	Almondwood Estates	Lot No. 64	\$292.00	\$403.00
65	062-060-12	Almondwood Estates	Lot No. 65	\$292.00	\$403.00
66	062-060-04, 062-060-12	Almondwood Estates	Lot No. 66	\$292.00	\$403.00
67	062-060-04	Almondwood Estates	Lot No. 67	\$292.00	\$403.00
68	062-060-04	Almondwood Estates	Lot No. 68	\$292.00	\$403.00
69	062-060-04	Almondwood Estates	Lot No. 69	\$292.00	\$403.00
70	062-060-04	Almondwood Estates	Lot No. 70	\$292.00	\$403.00
71	062-060-04	Almondwood Estates	Lot No. 71	\$292.00	\$403.00
72	062-060-04	Almondwood Estates	Lot No. 72	\$292.00	\$403.00
73	062-060-04	Almondwood Estates	Lot No. 73	\$292.00	\$403.00
74	062-060-04	Almondwood Estates	Lot No. 74	\$292.00	\$403.00
TOTAL				\$21,608.00	\$29,822.00

ALMONDWOOD ESTATES BOUNDARY MAP

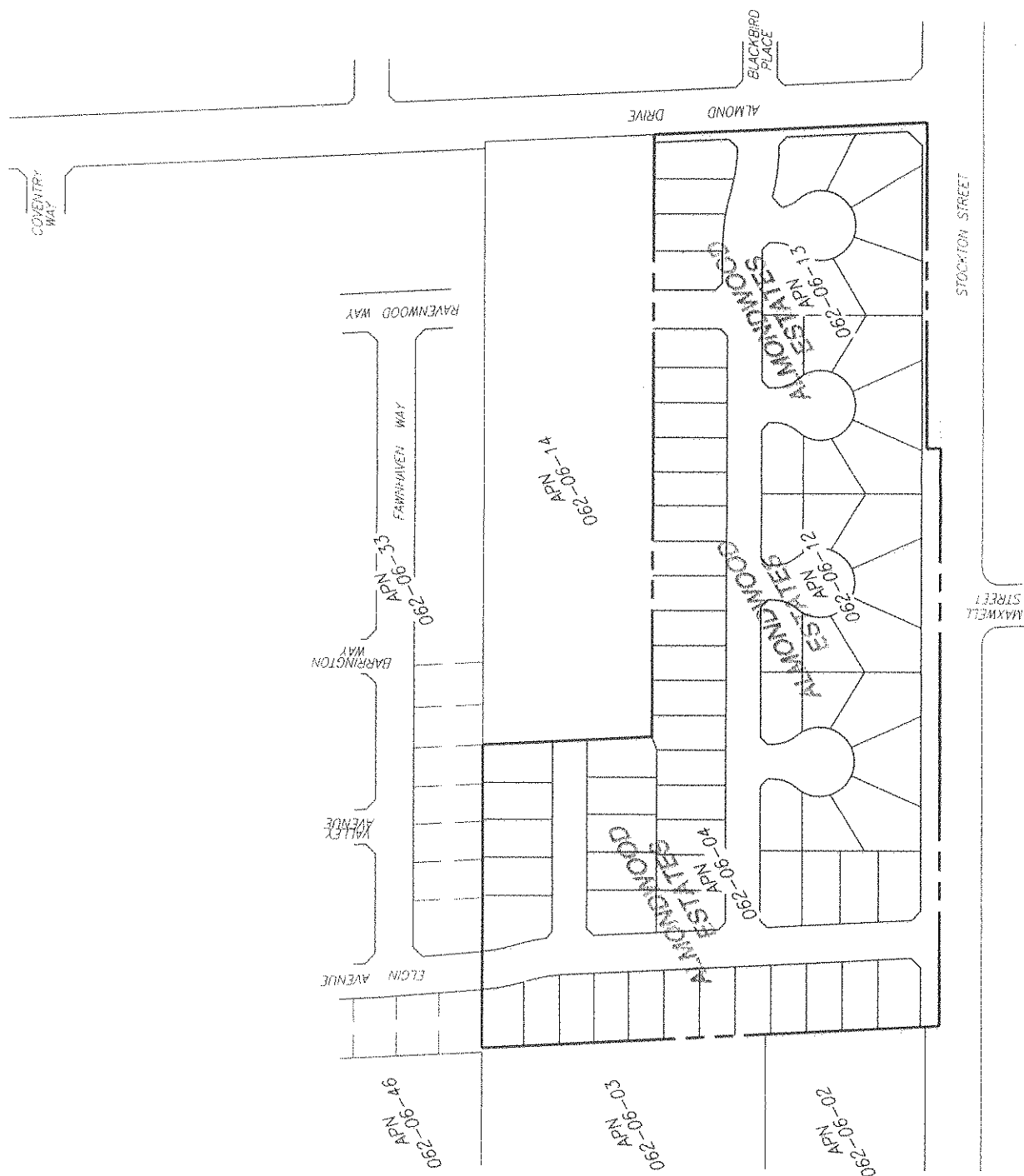
SCALE 1" = 150'

PROJECT SUMMARY

ALMONDWOOD ESTATES 74 966[±]'s

PROPOSED ANNEXATION
BOUNDARY

EXHIBIT B



ASSESSMENT DIAGRAM, ZONE 1
ALMONDWOOD ESTATES
CITY OF LODI CONSOLIDATED LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 CITY OF LODI,
SAN JOAQUIN COUNTY
STATE OF CALIFORNIA

BEING THE NORTH EAST PORTION OF SECTION 13
T.3 N., R. 5 E., M. D. B. & M.,
CITY OF LODI,
SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS
OF _____ 2003.

CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS
OF _____ 2003.

SUPERINTENDENT OF STREETS
OF THE CITY OF LODI

RECORDED THIS _____ DAY OF _____ 2003 AT THE HOUR
OF _____ IN BOOK _____ OF
THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

COUNTY RECORDER
OF SAN JOAQUIN COUNTY, CALIFORNIA

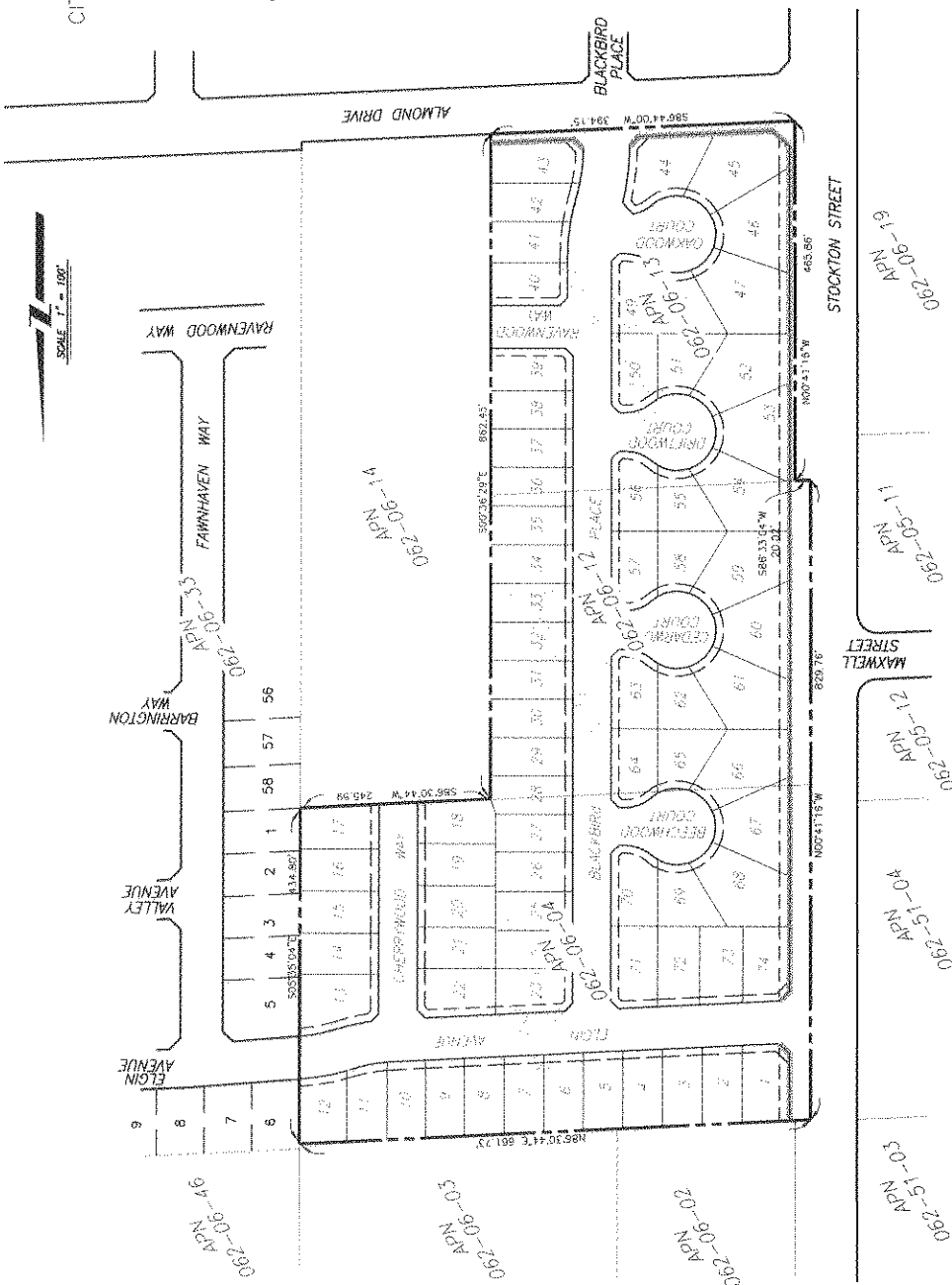
- NOTES:**
- ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN THE CITY OF LODI AND WITHIN THE DESIGNATED ASSESSOR'S PARCELS.
 - THE EFFECTIVE DATE FOR THE ASSESSMENT DIAGRAM IS _____ 2003.
 - THE ASSESSMENT DIAGRAM CONSISTS OF SHEET NO. 1 OF _____ SHEETS, THE COMPLETION OF WHICH WILL BE INDICATED BY THE CITY OF LODI AND SHEET NO. 2 & 3 WHICH IS A SAN JOAQUIN COUNTY ASSESSOR'S MAPS.

EXHIBIT C

SHEET 1 OF 2

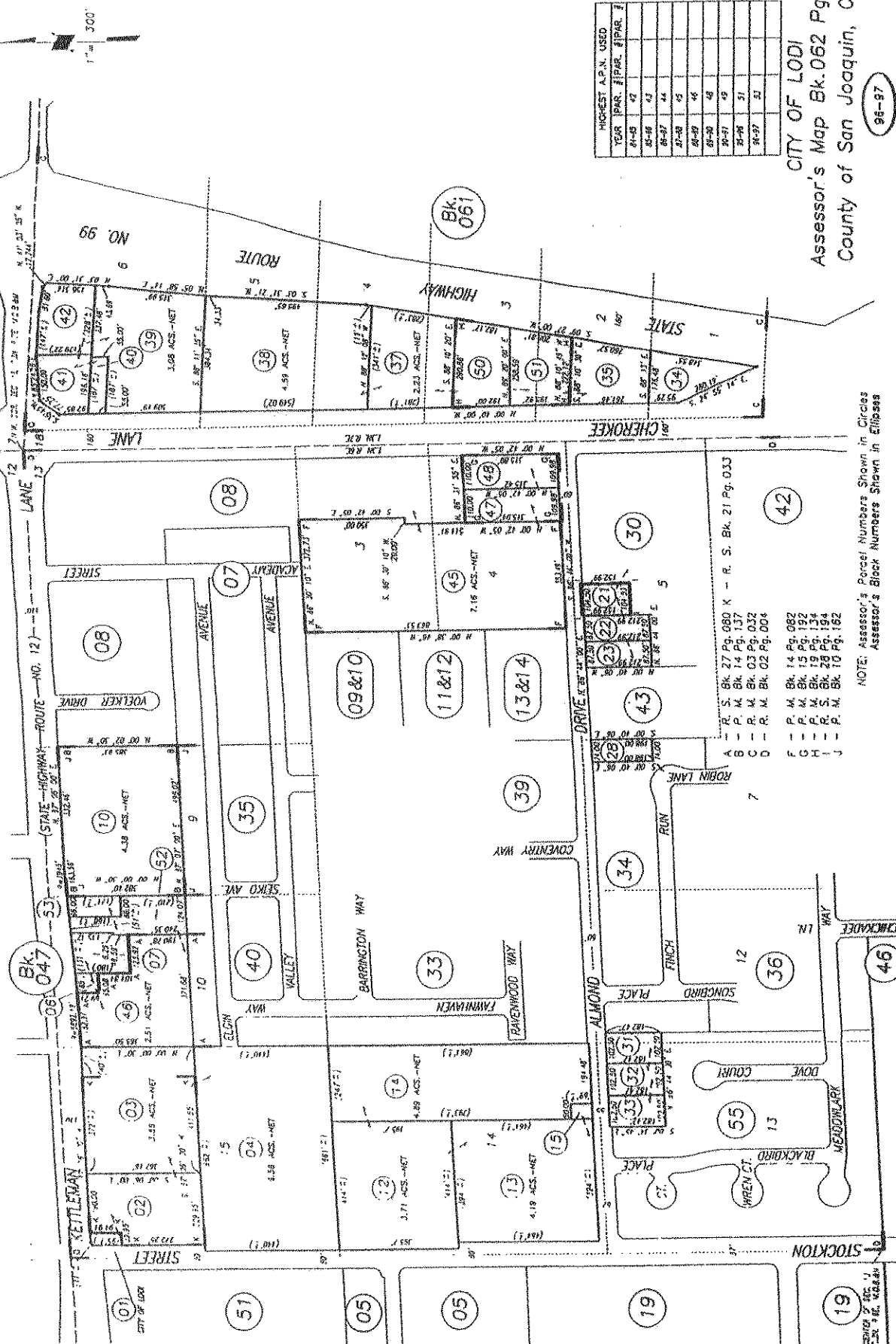
THOMPSON-HYSELL
ENGINEERS

1015 1ST STREET, SUITE 100, LODI, CA 95240 (209) 421-1000



ASSESSMENT DIAGRAM INDEX

BOOK	PAGE	PARCELS
062	060	4, 12, 13



HIGHEST A.P.N. USED	YEAR	PAR.	PAR.	PAR.
81-45	42			
81-46	42			
81-47	42			
81-48	42			
81-49	42			
81-50	42			
81-51	42			
81-52	42			
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81-92	42			
81-93	42			
81-94	42			
81-95	42			
81-96	42			
81-97	42			
81-98	42			
81-99	42			
81-100	42			

CITY OF LODI
Assessor's Map Bk.062 Pg. 06
County of San Joaquin, Calif.

98-97

JUL 15 1999

EXHIBIT C

SHEET 2 OF 2

NOTE: Assessor's Parcel Numbers Shown in Circles
Assessor's Block Numbers Shown in Ellipses

ALMONDWOOD ESTATES AREAS TO BE MAINTAINED

SCALE 1" = 150'

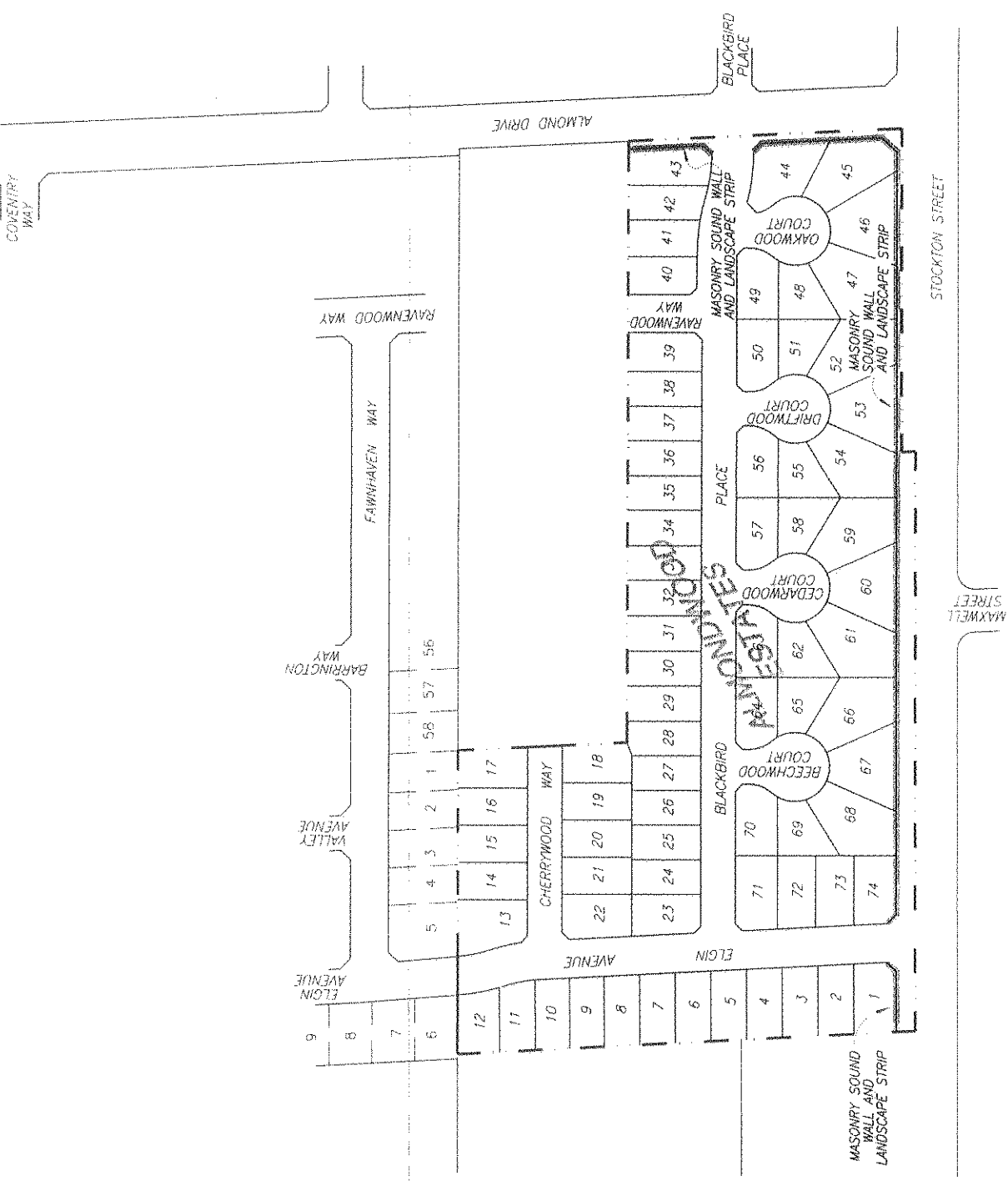


EXHIBIT D

RESOLUTION NO. 2003-153

BEFORE THE CITY COUNCIL OF THE CITY OF LODI, A RESOLUTION
OF PRELIMINARY DETERMINATION TO PROPOSE THE FORMATION
OF A MAINTENANCE ASSESSMENT DISTRICT, TO LEVY AN ANNUAL
ASSESSMENT FOR COSTS INCURRED AND PRELIMINARY
APPROVAL OF ENGINEER'S REPORT

ALMONDWOOD ESTATES ASSESSMENT DISTRICT ZONE 1 LODI
CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 2003-1 (LANDSCAPING AND LIGHTING ACT OF 1972)

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that:

1. The City Council proposes to form an assessment district and to levy and collect assessments pursuant to the Landscaping and Lighting Act of 1972 (Streets. & Highway Code, §22500, et seq.) (the "Act").

2. The improvements to be installed and/or maintained in this assessment district are generally described in Exhibit A attached hereto and incorporated herein as though set out in full.

3. This assessment district shall be known as Almondwood Estates Assessment District Zone 1, Lodi Consolidated Landscape Maintenance District No. 2003-1 (Landscaping and Lighting Act of 1972), City of Lodi, San Joaquin County, California. The district encompasses approximately fourteen and four tenths (14.4) acres of residential area comprising a 74-lot subdivision in the southeastern portion of the City of Lodi. It is bounded on the west by Stockton Street and on the south by Almond Drive in the City of Lodi, California.

4. Thompson-Hysell Engineering, a division of The Keith Companies, Inc., of Modesto, California, is directed to prepare and file a report in accordance with Article 4 (commencing with Section 22565 of Chapter 1 of Streets & Highways Code).

5. Thompson-Hysell Engineering, a division of The Keith Companies, Inc., designated engineer, in accordance with the Council's directive herein, has filed with the City Clerk the Report required by the Act, which Report is hereby preliminarily approved.

Dated: August 20, 2003

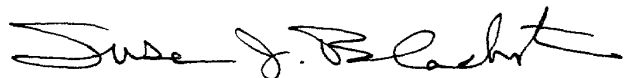
I hereby certify that Resolution No. 2003-153 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 20, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Howard, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Beckman and Land

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

EXHIBIT 1

DESCRIPTION OF IMPROVEMENTS

- A. A masonry wall and 8.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1,220 lineal feet.
- B. A masonry wall and 8.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 lineal feet.
- C. Street parkway trees located with the public street within the District Zone 1 boundary.
- D. Public park land area of 0.820 acres in size equivalent to current level of service standard for park area within the City of 3.5 acres per thousand persons served.

Exhibit 2

City of Lodi LLD Almondwood Estates Zone 1 Landscape Maintenance Assessment District Formation and Budget Election

Time Table

<u>Date</u>	<u>Activity/Tasks</u>
July 30, 2003	Distribution of preliminary draft Engineer's Report
August 1, 2003	Initial Resolutions to City Council Communication, Finalized Engineer's Report
August 20, 2003	City Council Meeting to: Resolution of Preliminary Determination to Form District Resolution of Intention (sets Public Meeting on October 1, 2003 and Public Hearing and date of Election on October 15, 2003)
August 29, 2003	Last day to Mail Notice and Ballot
September 11, 2003	Council Communication re: October 1, 2003 Public Meeting
September 25, 2003	Resolutions to City Approve Engineer's Report Establish Assessment District Tally vote/Declare results Council Communication
October 1, 2003	City Council Meeting: Public Meeting
October 15, 2003	Last day to receive Ballots
October 15, 2003	City Council meeting to: Public Hearing/Tally vote/Declare results Establish Assessment District

EXHIBIT 3

**ENGINEER'S REPORT
ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI**

FISCAL YEAR 2004-2005

PREPARED BY:

**Thompson-Hysell Engineers,
a division of The Keith Companies, Inc.
1016 12th Street
Modesto, CA 95354**

AUGUST 2003

**ANNUAL ENGINEER'S REPORT
FOR THE 2004-2005 FISCAL YEAR**

ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
CITY OF LODI
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits the enclosed annual report as directed by the City Council.

DATED: _____, 2003.

Thompson-Hysell Engineers
Engineer of Work

BY:

Michael T. Persak
RCE 44908

I HEREBY CERTIFY that the enclosed Annual Engineer's Report, together with Boundary Map, Assessment, and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Lodi, California on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was filed with the Auditor of the County of San Joaquin on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY:

August 11, 2003

The Honorable Mayor and
City Council of The City of
Lodi, CA

To Whom It May Concern:

This report is prepared pursuant to and in compliance with the requirements of the "Landscaping and Lighting Act of 1972," as amended, commencing with the Streets and Highways code sections 22500, et seq. for the creation of a new zone (Almondwood Estates) in the Lodi Consolidated Landscape Maintenance Assessment District No. 1.

BACKGROUND

The Almondwood Estates zone consists of a 74-lot residential development in the southeastern portion of the City of Lodi. The development is being pursued by KB Home. This report is relative to the proposed Almondwood Estates Landscape Maintenance District of the City of Lodi Consolidated Landscape Maintenance Assessment District which provides annual funds for the maintenance of various public landscape improvements.

PHASED DEVELOPMENT

The Almondwood Estates development is currently anticipated to be constructed in a single phase. Annually, the additional public amenity improvements and the additional developed areas, if any, shall be identified. The costs of the maintenance of the new improvements, if any, shall be added to and included in the next annual landscape maintenance budget. These amounts for the additional improvements were accounted for in determining the maximum annual assessment. The Almondwood Estates project, when completed, will include an estimated 74 single-family residential lots.

ASSESSMENT DISTRICT AREA

The area of Almondwood Estates is described as all of the property within the following assessor's parcels identified by assessor's number (APN):

<u>Book</u>	<u>Page</u>	<u>Parcel</u>
062	06	4, 12, 13

A boundary map is attached to this Engineer's Report as Exhibit C. The assessment diagrams for the Almondwood Estates Landscape Maintenance District are attached to the Engineer's Report as Exhibit D. Sheet No. 1 of the assessment diagrams is a simple overall boundary map. Sheet 2 is the County Assessor's map and is incorporated in, and made a part of, the assessment diagram.

PLANS AND SPECIFICATIONS

As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by the Almondwood Estates Landscape Maintenance District shall be filed with the City of Lodi and will be incorporated into this report by reference.

DESCRIPTION OF AREAS TO BE MAINTAINED (SEE EXHIBIT B)

The Almondwood Estates Landscape Maintenance District is created to provide funding for the continued maintenance of the public areas which are described below. During the installation period for each phase, the installer of the improvements will maintain the new improvements until the following June 30 or until such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.

The following improvements shall be included in the District upon their completion (also see Exhibit B).

1. Description of Improvements for Future Development

- A. A masonry wall and 8.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1220 lineal feet.
- B. A masonry wall and 8.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 lineal feet.
- C. Street parkway trees located with the public street within the District Zone 1 boundary.
- D. Public park land area of 0.820 acres in size equivalent to current level of service standard for park area within the City of 3.5 acres per thousand persons served.

ALLOCATION OF COSTS

Assessments for the Almondwood Estates Landscape Maintenance District are apportioned in a manner intended to fairly distribute the amounts among all assessable developed parcels in proportion to the estimated benefits to be received by each such parcel. A parcel is considered as being developed by reason of having been included as a lot or parcel in the Almondwood Estates recorded Final Map or being included within the active developed area in the case of an existing parcel. The criteria for apportioning the costs for the maintenance makes use of a dwelling unit equivalent Factor (dueF) to calculate the benefit for all uses in terms of equivalent dwelling units. The terms, definitions, and procedures followed to develop the annual assessments are as follows:

1. Dwelling Unit Equivalent Factor (dueF)

The dueF for each use is as follows:

E. Single-Family Residential

All parcels determined to be developed for single-family use shall have a dueF of 1.0 for each parcel.

F. Multiple-Family Residential

All parcels determined to be developed for multiple-family residential, other than duplex or triplex uses, shall have a dueF of 5.0 per acre for each parcel, in general representative of the approximate single-family yield if the area were developed for that use.

C. Commercial/Office

All parcels determined to be developed for commercial or office uses shall have the dueF factor calculated as follows:

5 dueF per acre for the first 7.5 acres

2.5 dueF per acre for the next 7.5 acres

1.25 dueF per acre for all acreage over 15 acres.

D. Other Uses

All parcels determined to have uses other than identified above shall have a dueF established at the time of the first annual budget affecting such areas as determined by the Engineer or other officer appointed by the City of Lodi to prepare the annual cost spread. The determined dueF shall follow the character of the factors assigned above as nearly as practicable, but the determination shall be the sole responsibility of the appointed party and the City of Lodi.

E. Zero Dwelling Unit Equivalent Factor (dueF)

Certain parcels, by reason of use, size, shape, or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

2. Area Adjustments

Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

3. Compilation

Annually, about May 15, following the determination of the dwelling unit equivalent Factor (dueF) for all developed parcels and the determination of the list of developed parcels by APN for the next fiscal year, all single-family or duplex/triplex residential parcels shall have a dwelling unit equivalent (due) assigned to each parcel equal to the dueF for that parcel. For all parcels other than single-family or duplex/triplex residential parcels, the product of the dueF times the area or adjusted usable area of the parcel, as appropriate, shall be calculated and shall be the due assigned. For developed parcels, the sum of the due assigned to each single-family due for each other parcel shall equal the total due for the next fiscal year. The total amount of revenue required for the next fiscal year shall then be divided by the total due to calculate the assessment per due for the next fiscal year. Parcels defined as not developed for the purposes of determining the landscape maintenance assessments will all have a zero dueF and consequently a zero due and a zero assessment.

4. Allocation of Assessments

The assessment for wall maintenance for the next fiscal year shall then be set for each parcel as the product of the calculated dwelling unit equivalent (due) for each parcel, multiplied by the assessment per due for the next fiscal year.

METHOD OF ASSESSMENT SPREAD

In compliance with the provisions of Proposition 218, adding Article XIII D to the California Constitution, the benefits conferred on each parcel within the Lodi Consolidated Landscape Maintenance District No. 1 are particular and distinct benefits (hereinafter "special benefits") over and above general benefits conferred on such property or to the public at large, in that the individual letter-designated zones in the District each represents a common unit to provide landscape, park, and related amenity maintenance, and monitored irrigation for the development of the property within the individual letter-designated zones in the District generally for residential and related urban uses. Benefits are determined to be 100% special benefits and 0% general benefits. Also, in keeping with the requirements of Proposition 218, no annual individual assessments shall be increased above the amounts assessed under the established criteria for each zone for the preceding fiscal year without an election approval.

The base objective of the assessment spread is to distribute costs in accordance with the benefits received. Costs will be spread equally to each residential lot as follows:

1. Lots 1-74 in Almondwood Estates shall be assessed equally for the estimated costs of maintenance for the fiscal year 2004-2005.

ANNUAL ESCALATION

The maximum assessment amount for each fiscal year shall be increased in an amount equal to the greater of: 1) five percent (5.0%), or 2) the percentage increase of the Local Consumer Price Index (CPI). Consumer Price Index applied is for the San Francisco-Oakland-San Jose County Area for All Urban Consumers, as developed by the U.S. Bureau of Labor Statistics for a similar period of time.

ADMINISTRATION

It is intended that the City of Lodi, either directly or by subcontract, shall have the responsibility to establish an ongoing Landscape Maintenance Management entity to be known as the Landscape Maintenance District Manager which shall be responsible to establish the annual budget, keep an accounting of the maintenance and operational administrative costs, administer and perform the landscape maintenance either directly or by subcontract, pay all fees, utility costs, taxes, and any and all other operating costs.

ESTIMATE OF COSTS

The location and size of a park serving this subdivision are designated in Park, Recreation and Open Space Plan (1994). The estimated costs are for public amenity maintenance only. All improvements will be installed at no cost to the Landscape Maintenance Assessment District. The assessment will not be levied until needed, upon development and City acceptance of the improvements.

Items considered in the maintenance cost include, but are not limited to: water for plants and trees, weeding, pruning, mowing, replacement of plants and trees that may die, maintenance of pavement and sidewalks, maintenance of walls, rebuilding damaged walls, removal of graffiti, and maintaining and replacing all sprinkler lines and heads.

The annual costs estimated to be collected with the 2004-2005 taxes for the developed areas are as follows:

	FY 2004-05 ESTIMATED <u>ASSESSMENT</u>	FY 2004-05 MAXIMUM <u>ASSESSMENT</u>
OPERATION COSTS		
Landscape		
Maintenance	\$5,500.00	\$5,500.00
Repair/Replacement	\$700.00	\$700.00
Water	\$300.00	\$300.00
Electricity	\$200.00	\$200.00
Replacement Reserve	<u>\$300.00</u>	<u>\$300.00</u>
Subtotal Landscape	\$7,000.00	\$7,000.00
Street Trees	\$1,900.00	\$1,900.00
Future Park Site	\$0.00	\$8,200.00
Walls		
Repair/Maintenance/Graffiti Control	\$2,700.00	\$2,700.00
Replacement Reserve	<u>\$1,600.00</u>	<u>\$1,600.00</u>
Subtotal Walls	\$4,300.00	\$4,300.00
 Subtotal Operation Costs	 \$13,200.00	 \$21,400.00

Engineer's Report
Almondwood Estates
Page 7 of 8
August 11, 2003

	<u>FY 2004-05 ESTIMATED ASSESSMENT</u>	<u>FY 2004-05 MAXIMUM ASSESSMENT</u>
DISTRICT ADMINISTRATION COSTS		
Annual Engineer's Report	\$4,000.00	\$4,000.00
Publication	\$100.00	\$100.00
City Administration Fee	\$2,000.00	\$2,000.00
County Administration Fee	<u>\$900.00</u>	<u>\$900.00</u>
Subtotal Administration Costs	\$7,000.00	\$7,000.00
Contingency	\$1,408.00	\$1,422.00
Total Estimated Revenue Required for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total Appropriation Required from Existing Fund Balance	\$0.00	\$0.00
Total Estimated Assessment for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total dueF	74	74
Assessment per dueF	\$292.00	\$403.00
MAXIMUM ANNUAL ASSESSMENT		\$403.00

ASSESSMENT ROLL

The assessment roll for the fiscal year 2004-2005 is as follows:

Assessment No.	APN No.	Future Lot Nos.	Owner	No. of Residential Lots	2004-2005 Est. Assessment Amount	2004-2005 Max. Annual Assessment Amount
1	062-060-04	Lots 1-27, 28 (portion), 64 (portion), 66 (portion), 67-74	Concord Development Inc.	36	\$10,512.00	\$14,508.00
2	062-060-12	28 (portion), 29-35, 36 (portion), 54-56 (portion), 57-63, 64 (portion), 65, 66 (portion)	Concord Development Inc.	19	\$5,548.00	\$7,657.00
3	062-060-13	36 (portion), 37-53, 54-56 (portion)	Allen H. Liu	19	\$5,548.00	\$7,657.00
Total				74	\$21,608.00	\$29,822.00

The parcels in this subdivision are expected to subdivide upon and subsequent to the formation of Zone 1. The proposed subdivision will yield approximately 74 parcels (residential lots) and will have a proposed assessment roll, based on the above criteria and budget, set forth in Exhibit A.

The foregoing Engineer's Report and the estimate of costs, as well as the Assessment Diagram and Assessment Roll, which are attached hereto, are presented for your approval by resolution dated this _____ day of _____, 2003.

THOMPSON-HYSELL ENGINEERS
Engineer of Work

BY:
Michael T. Persak
RCE 44908

EXHIBIT 4**SUMMARY OF ESTIMATED DISTRICT COSTS**

	<u>FY 2004-05 ESTIMATED ASSESSMENT</u>	<u>FY 2004-05 MAXIMUM ASSESSMENT</u>
OPERATION COSTS		
Landscape		
Maintenance	\$5,500.00	\$5,500.00
Repair/Replacement	\$700.00	\$700.00
Water	\$300.00	\$300.00
Electricity	\$200.00	\$200.00
Replacement Reserve	<u>\$300.00</u>	<u>\$300.00</u>
Subtotal Landscape	\$7,000.00	\$7,000.00
Street Trees	\$1,900.00	\$1,900.00
Public Park Area	\$0.00	\$8,200.00
Walls		
Repair/Maintenance/Graffiti Control	\$2,700.00	\$2,700.00
Replacement Reserve	<u>\$1,600.00</u>	<u>\$1,600.00</u>
Subtotal Walls	\$4,300.00	\$4,300.00
Subtotal Operation Costs	\$13,200.00	\$21,400.00
DISTRICT ADMINISTRATION COSTS		
Annual Engineer's Report	\$4,000.00	\$4,000.00
Publication	\$100.00	\$100.00
City Administration Fee	\$2,000.00	\$2,000.00
County Administration Fee	<u>\$900.00</u>	<u>\$900.00</u>
Subtotal Administration Costs	\$7,000.00	\$7,000.00
Contingency	\$1,408.00	\$1,422.00
Total Estimated Revenue Required for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total Appropriation Required from Existing Fund Balance	\$0.00	\$0.00
Total Estimated Assessment for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total dueF74	74	
Assessment per dueF	\$292.00	\$403.00

**EXHIBIT 5
ASSESSMENT ROLL
ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI, CA**

DIAGRAM NUMBER	COUNTY ASSESSOR NUMBER	UNIT NO.	LOT NO.	FY 2004-2005 ESTIMATED ASSESSMENT AMOUNT	FY 2004-2005 MAXIMUM ASSESSMENT AMOUNT
1	062-060-04	Almondwood Estates	Lot No. 1	\$292.00	\$403.00
2	062-060-04	Almondwood Estates	Lot No. 2	\$292.00	\$403.00
3	062-060-04	Almondwood Estates	Lot No. 3	\$292.00	\$403.00
4	062-060-04	Almondwood Estates	Lot No. 4	\$292.00	\$403.00
5	062-060-04	Almondwood Estates	Lot No. 5	\$292.00	\$403.00
6	062-060-04	Almondwood Estates	Lot No. 6	\$292.00	\$403.00
7	062-060-04	Almondwood Estates	Lot No. 7	\$292.00	\$403.00
8	062-060-04	Almondwood Estates	Lot No. 8	\$292.00	\$403.00
9	062-060-04	Almondwood Estates	Lot No. 9	\$292.00	\$403.00
10	062-060-04	Almondwood Estates	Lot No. 10	\$292.00	\$403.00
11	062-060-04	Almondwood Estates	Lot No. 11	\$292.00	\$403.00
12	062-060-04	Almondwood Estates	Lot No. 12	\$292.00	\$403.00
13	062-060-04	Almondwood Estates	Lot No. 13	\$292.00	\$403.00
14	062-060-04	Almondwood Estates	Lot No. 14	\$292.00	\$403.00
15	062-060-04	Almondwood Estates	Lot No. 15	\$292.00	\$403.00
16	062-060-04	Almondwood Estates	Lot No. 16	\$292.00	\$403.00
17	062-060-04	Almondwood Estates	Lot No. 17	\$292.00	\$403.00
18	062-060-04	Almondwood Estates	Lot No. 18	\$292.00	\$403.00
19	062-060-04	Almondwood Estates	Lot No. 19	\$292.00	\$403.00
20	062-060-04	Almondwood Estates	Lot No. 20	\$292.00	\$403.00
21	062-060-04	Almondwood Estates	Lot No. 21	\$292.00	\$403.00
22	062-060-04	Almondwood Estates	Lot No. 22	\$292.00	\$403.00
23	062-060-04	Almondwood Estates	Lot No. 23	\$292.00	\$403.00
24	062-060-04	Almondwood Estates	Lot No. 24	\$292.00	\$403.00
25	062-060-04	Almondwood Estates	Lot No. 25	\$292.00	\$403.00
26	062-060-04	Almondwood Estates	Lot No. 26	\$292.00	\$403.00
27	062-060-04	Almondwood Estates	Lot No. 27	\$292.00	\$403.00
28	062-060-04,	Almondwood Estates	Lot No. 28		
	062-060-12			\$292.00	\$403.00
29	062-060-12	Almondwood Estates	Lot No. 29	\$292.00	\$403.00
30	062-060-12	Almondwood Estates	Lot No. 30	\$292.00	\$403.00
31	062-060-12	Almondwood Estates	Lot No. 31	\$292.00	\$403.00
32	062-060-12	Almondwood Estates	Lot No. 32	\$292.00	\$403.00
33	062-060-12	Almondwood Estates	Lot No. 33	\$292.00	\$403.00
34	062-060-12	Almondwood Estates	Lot No. 34	\$292.00	\$403.00
35	062-060-12	Almondwood Estates	Lot No. 35	\$292.00	\$403.00
36	062-060-12,	Almondwood Estates	Lot No. 36		
	062-060-13			\$292.00	\$403.00
37	062-060-13	Almondwood Estates	Lot No. 37	\$292.00	\$403.00
38	062-060-13	Almondwood Estates	Lot No. 38	\$292.00	\$403.00
39	062-060-13	Almondwood Estates	Lot No. 39	\$292.00	\$403.00
40	062-060-13	Almondwood Estates	Lot No. 40	\$292.00	\$403.00
41	062-060-13	Almondwood Estates	Lot No. 41	\$292.00	\$403.00
42	062-060-13	Almondwood Estates	Lot No. 42	\$292.00	\$403.00

DIAGRAM NUMBER	COUNTY ASSESSOR NUMBER	UNIT NO.	LOT NO.	FY 2004-2005 ESTIMATED ASSESSMENT	FY 2004-2005 MAXIMUM ASSESSMENT
				AMOUNT	AMOUNT
43	062-060-13	Almondwood Estates	Lot No. 43	\$292.00	\$403.00
44	062-060-13	Almondwood Estates	Lot No. 44	\$292.00	\$403.00
45	062-060-13	Almondwood Estates	Lot No. 45	\$292.00	\$403.00
46	062-060-13	Almondwood Estates	Lot No. 46	\$292.00	\$403.00
47	062-060-13	Almondwood Estates	Lot No. 47	\$292.00	\$403.00
48	062-060-13	Almondwood Estates	Lot No. 48	\$292.00	\$403.00
49	062-060-13	Almondwood Estates	Lot No. 49	\$292.00	\$403.00
50	062-060-13	Almondwood Estates	Lot No. 50	\$292.00	\$403.00
51	062-060-13	Almondwood Estates	Lot No. 51	\$292.00	\$403.00
52	062-060-13	Almondwood Estates	Lot No. 52	\$292.00	\$403.00
53	062-060-13	Almondwood Estates	Lot No. 53	\$292.00	\$403.00
54	062-060-12, 062-060-13	Almondwood Estates	Lot No. 54	\$292.00	\$403.00
55	062-060-12, 062-060-13	Almondwood Estates	Lot No. 55	\$292.00	\$403.00
56	062-060-12, 062-060-13	Almondwood Estates	Lot No. 56	\$292.00	\$403.00
57	062-060-12	Almondwood Estates	Lot No. 57	\$292.00	\$403.00
58	062-060-12	Almondwood Estates	Lot No. 58	\$292.00	\$403.00
59	062-060-12	Almondwood Estates	Lot No. 59	\$292.00	\$403.00
60	062-060-12	Almondwood Estates	Lot No. 60	\$292.00	\$403.00
61	062-060-12	Almondwood Estates	Lot No. 61	\$292.00	\$403.00
62	062-060-12	Almondwood Estates	Lot No. 62	\$292.00	\$403.00
63	062-060-12	Almondwood Estates	Lot No. 63	\$292.00	\$403.00
64	062-060-04, 062-060-12	Almondwood Estates	Lot No. 64	\$292.00	\$403.00
65	062-060-12	Almondwood Estates	Lot No. 65	\$292.00	\$403.00
66	062-060-04, 062-060-12	Almondwood Estates	Lot No. 66	\$292.00	\$403.00
67	062-060-04	Almondwood Estates	Lot No. 67	\$292.00	\$403.00
68	062-060-04	Almondwood Estates	Lot No. 68	\$292.00	\$403.00
69	062-060-04	Almondwood Estates	Lot No. 69	\$292.00	\$403.00
70	062-060-04	Almondwood Estates	Lot No. 70	\$292.00	\$403.00
71	062-060-04	Almondwood Estates	Lot No. 71	\$292.00	\$403.00
72	062-060-04	Almondwood Estates	Lot No. 72	\$292.00	\$403.00
73	062-060-04	Almondwood Estates	Lot No. 73	\$292.00	\$403.00
74	062-060-04	Almondwood Estates	Lot No. 74	\$292.00	\$403.00
TOTAL				\$21,608.00	\$29,822.00

ALMONDWOOD ESTATES BOUNDARY MAP

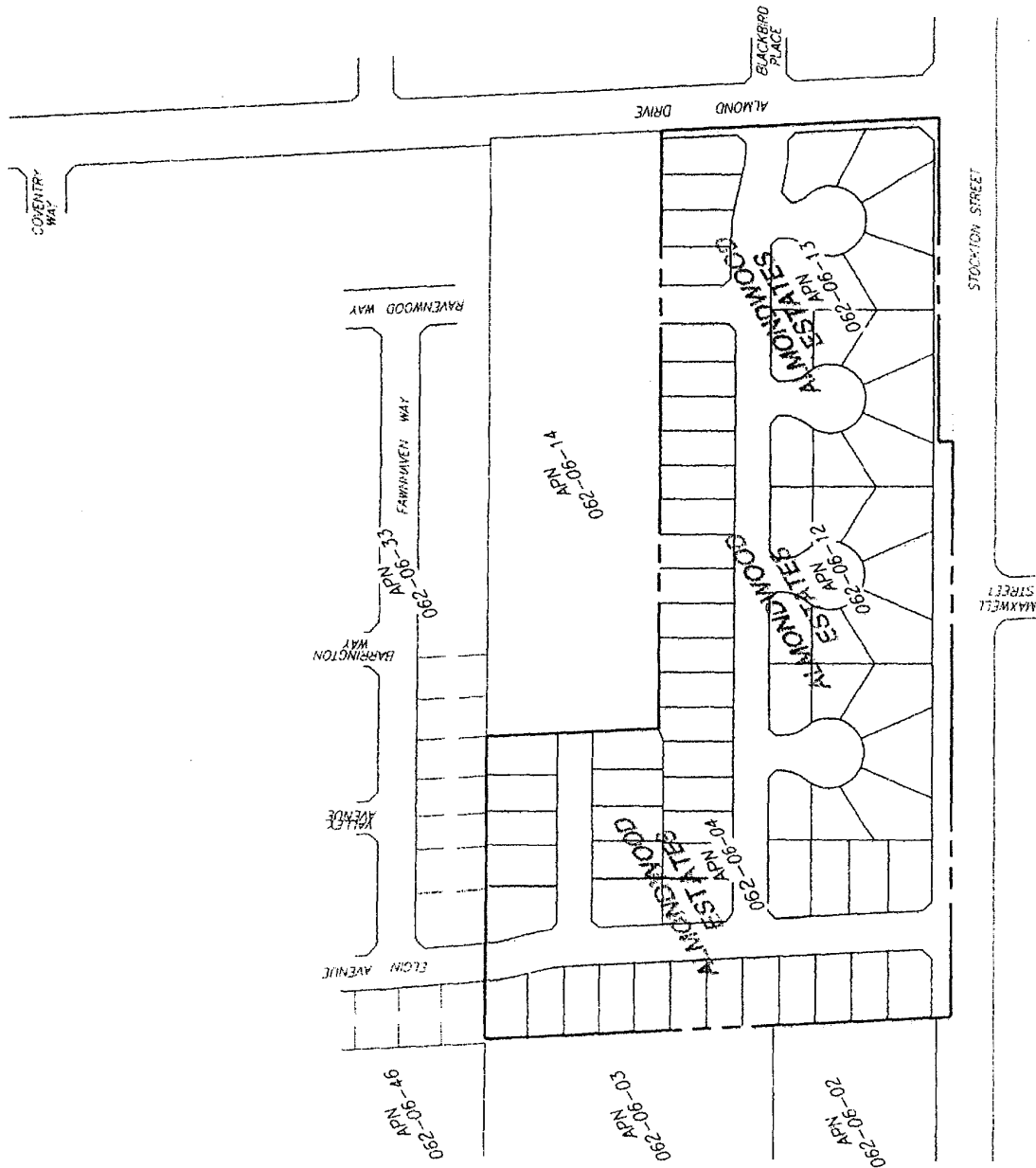
SCALE 1" = 150'

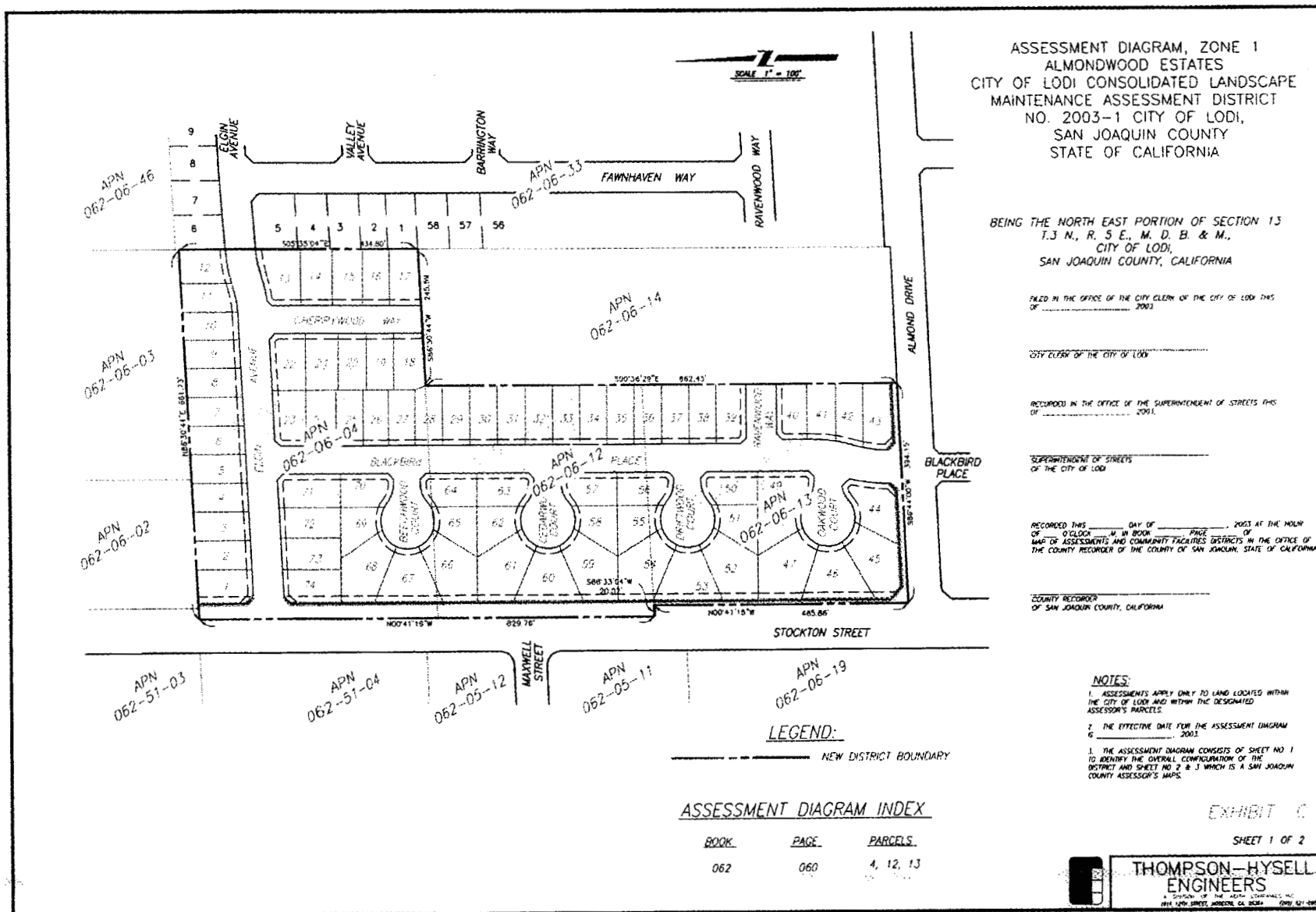
PROJECT SUMMARY

ALMONDWOOD ESTATES 74 0.06²'s

PROPOSED ANNEXATION
BOUNDARY

EXHIBIT B



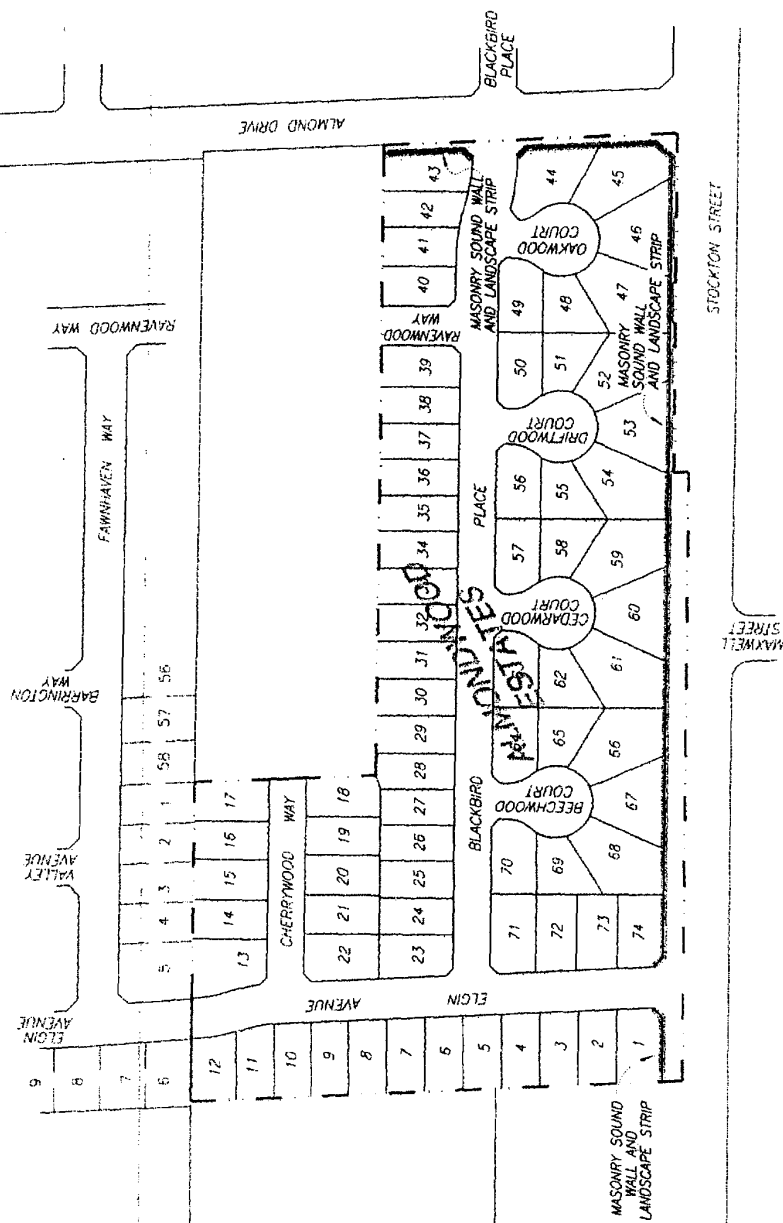


SCALE 1" = 150'

SCALE 1" = 150'

— DISTRICT BOUNDARY
— PROPOSED IMPROVEMENTS
— TO BE MAINTAINED

EXHIBIT D



RESOLUTION NO. 2003-154

BEFORE THE CITY COUNCIL OF THE CITY OF LODI, A RESOLUTION OF INTENTION TO ORDER THE FORMATION OF A MAINTENANCE ASSESSMENT DISTRICT, TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FOR MAINTENANCE AND OPERATION OF IMPROVEMENTS AND FOR COSTS AND EXPENSES AND SETTING TIME AND PLACE OF PUBLIC MEETING AND PUBLIC HEARING AND SETTING FORTH MAILED PROPERTY OWNER BALLOT PROCEDURE AND NOTICE

ALMONDWOOD ESTATES ASSESSMENT DISTRICT ZONE 1
LODI CONSOLIDATED LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 2003-1
(LANDSCAPING AND LIGHTING ACT OF 1972)

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that:

1. The City Council proposes to form an assessment district and to levy and collect assessments pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highway Code, § 22500, et seq.) (the "Act").
2. The improvements to be installed and/or maintained in this assessment district are generally described in Exhibit A attached hereto and incorporated herein as though set out in full.
3. This Assessment District shall be known as Almondwood Estates Assessment District Zone 1 Lodi Consolidated Landscape Maintenance District No. 2003-1 (Landscaping and Lighting Act of 1972), City of Lodi, San Joaquin County, California, and may be referred to by such name in all subsequent proceedings for the levy and collection of assessments on each parcel of real property within the district as provided by the Act. The district encompasses approximately fourteen and four tenths (14.4) acres of residential area comprising a 74-lot subdivision in the southeastern portion of the City of Lodi. It is bounded on the west by Stockton Street and on the south by Almond Drive in the City of Lodi.
4. In accordance with the City Council's resolution initiating proceedings, Thompson-Hysell Engineering, a division of The Keith Companies, Inc., of Modesto, California, designated engineer, has filed with the City Clerk the Report required by the Act, which Report has been preliminarily approved by this Council. All interested persons are referred to that Report for a full and detailed description of the improvements, the boundaries of the assessment district, the proposed assessments upon assessable lots and parcels of land within the assessment district, and the proposed budget for the fiscal year 2004-05, the estimated cost of annual operation and maintenance of the improvements, and the maximum annual assessment.
5. On Wednesday, October 1, 2003, at the hour of 7:00 p.m., or as soon thereafter as possible, at the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street, Lodi, California, the City Council will conduct a public meeting to hear public testimony on the formation of the assessment district and the levy of the proposed assessment; provided, however, that at said meeting, no action shall be taken to create the Assessment District.
6. On Wednesday, October 15, 2003, at the hour of 7:00 p.m., or as soon thereafter as possible, at the regular meeting place of the Lodi City Council, Carnegie Forum, 305 West Pine Street, Lodi, California, the City Council will conduct a public hearing, at which the Council will hear and consider any objections and protests respecting (a) whether the public interest and convenience require the improvements and/or maintenance thereof, (b) the extent of the Assessment District, (c) the estimated costs and expenses of the project, (d) the amounts of the assessments proposed to be levied upon the benefited parcels, and (e) the method or formula by which benefit has been estimated and any other aspect of the proposed Assessment District, to which any interested person may want to object or protest. The City Clerk shall tabulate the assessment ballots received and report the same to the City Council.

7. Notice is further given that Wally Sandelin of the Public Works Department, telephone (209) 333-6709, is the person and the department designated by this Council to answer inquiries regarding the protest proceedings.

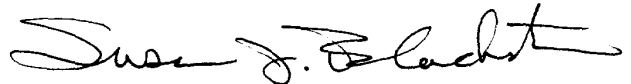
8. The City Clerk is hereby authorized and directed to cause notice of the hearings ordered under Sections 5 and 6 hereof to be given by mailing, postage prepaid, in the United States mail, and such notice shall be deemed to have been given when so deposited in such mail. The envelope or cover of the mailing shall include the name of the City and the return address of the City Clerk as the sender. The mailed notice shall be given to all property owners within the Assessment District as shown in the Engineer's Report by such mailing by name to those persons whose name and addresses appear on the last equalized assessment roll of the County of San Joaquin or the State Board of Equalization assessment roll, as the case may be. The notice shall include, but not be limited to, the total amount of the assessment proposed to be levied in the Assessment District, the assessment proposed for the owner's particular parcel(s) and the duration thereof, the reason for the assessment and the basis upon which the amount of the assessment was calculated. Each notice shall also contain an assessment ballot, a summary of the procedures applicable to the completion, return and tabulation of assessment ballots and a statement that the existence of a majority protest will result in the assessment not being imposed. The notice herein provided shall be mailed not less than forty-five (45) days before the date of the public hearing.

Dated: August 20, 2003

=====

I hereby certify that Resolution No. 2003-154 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 20, 2003, by the following vote:

AYES:	COUNCIL MEMBERS – Hansen, Howard, and Mayor Hitchcock
NOES:	COUNCIL MEMBERS – None
ABSENT:	COUNCIL MEMBERS – Beckman and Land
ABSTAIN:	COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

EXHIBIT 1

DESCRIPTION OF IMPROVEMENTS

- A. A masonry wall and 8.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1,220 lineal feet.
- B. A masonry wall and 8.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 lineal feet.
- C. Street parkway trees located with the public street within the District Zone 1 boundary.
- D. Public park land area of 0.820 acres in size equivalent to current level of service standard for park area within the City of 3.5 acres per thousand persons served.

Exhibit 2

City of Lodi LLD Almondwood Estates Zone 1 Landscape Maintenance Assessment District Formation and Budget Election

Time Table

<u>Date</u>	<u>Activity/Tasks</u>
July 30, 2003	Distribution of preliminary draft Engineer's Report
August 1, 2003	Initial Resolutions to City Council Communication, Finalized Engineer's Report
August 20, 2003	City Council Meeting to: Resolution of Preliminary Determination to Form District Resolution of Intention (sets Public Meeting on October 1, 2003 and Public Hearing and date of Election on October 15, 2003)
August 29, 2003	Last day to Mail Notice and Ballot
September 11, 2003	Council Communication re: October 1, 2003 Public Meeting
September 25, 2003	Resolutions to City Approve Engineer's Report Establish Assessment District Tally vote/Declare results Council Communication
October 1, 2003	City Council Meeting: Public Meeting
October 15, 2003	Last day to receive Ballots
October 15, 2003	City Council meeting to: Public Hearing/Tally vote/Declare results Establish Assessment District

EXHIBIT 3

**ENGINEER'S REPORT
ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI**

FISCAL YEAR 2004-2005

PREPARED BY:

**Thompson-Hysell Engineers,
a division of The Keith Companies, Inc.
1016 12th Street
Modesto, CA 95354**

AUGUST 2003

**ANNUAL ENGINEER'S REPORT
FOR THE 2004-2005 FISCAL YEAR**

ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
CITY OF LODI
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits the enclosed annual report as directed by the City Council.

DATED: _____, 2003.

Thompson-Hysell Engineers
Engineer of Work

BY: _____

Michael T. Persak
RCE 44908

I HEREBY CERTIFY that the enclosed Annual Engineer's Report, together with Boundary Map, Assessment, and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY: _____

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Lodi, California on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY: _____

I HEREBY CERTIFY that the enclosed Annual Engineer's Report together with Assessment and Assessment Diagram thereto attached, was filed with the Auditor of the County of San Joaquin on the _____ day of _____, 2003.

_____, City Clerk, City of Lodi
San Joaquin County, California

BY: _____

August 11, 2003

The Honorable Mayor and
City Council of The City of
Lodi, CA

To Whom It May Concern:

This report is prepared pursuant to and in compliance with the requirements of the "Landscaping and Lighting Act of 1972," as amended, commencing with the Streets and Highways code sections 22500, et seq. for the creation of a new zone (Almondwood Estates) in the Lodi Consolidated Landscape Maintenance Assessment District No. 1.

BACKGROUND

The Almondwood Estates zone consists of a 74-lot residential development in the southeastern portion of the City of Lodi. The development is being pursued by KB Home. This report is relative to the proposed Almondwood Estates Landscape Maintenance District of the City of Lodi Consolidated Landscape Maintenance Assessment District which provides annual funds for the maintenance of various public landscape improvements.

PHASED DEVELOPMENT

The Almondwood Estates development is currently anticipated to be constructed in a single phase. Annually, the additional public amenity improvements and the additional developed areas, if any, shall be identified. The costs of the maintenance of the new improvements, if any, shall be added to and included in the next annual landscape maintenance budget. These amounts for the additional improvements were accounted for in determining the maximum annual assessment. The Almondwood Estates project, when completed, will include an estimated 74 single-family residential lots.

ASSESSMENT DISTRICT AREA

The area of Almondwood Estates is described as all of the property within the following assessor's parcels identified by assessor's number (APN):

<u>Book</u>	<u>Page</u>	<u>Parcel</u>
062	06	4, 12, 13

A boundary map is attached to this Engineer's Report as Exhibit C. The assessment diagrams for the Almondwood Estates Landscape Maintenance District are attached to the Engineer's Report as Exhibit D. Sheet No. 1 of the assessment diagrams is a simple overall boundary map. Sheet 2 is the County Assessor's map and is incorporated in, and made a part of, the assessment diagram.

PLANS AND SPECIFICATIONS

As this project is developed, plans and specifications for the amenity improvements to be maintained by the funds generated by the Almondwood Estates Landscape Maintenance District shall be filed with the City of Lodi and will be incorporated into this report by reference.

DESCRIPTION OF AREAS TO BE MAINTAINED (SEE EXHIBIT B)

The Almondwood Estates Landscape Maintenance District is created to provide funding for the continued maintenance of the public areas which are described below. During the installation period for each phase, the installer of the improvements will maintain the new improvements until the following June 30 or until such time as funds are available for maintenance, at which time the new areas shall be incorporated into the areas already being maintained by the District.

The following improvements shall be included in the District upon their completion (also see Exhibit B).

1. Description of Improvements for Future Development
 - A. A masonry wall and 8.5' wide landscaping area along the east side of Stockton Street from the project's north boundary to Almond Drive, including the angled corner section at Elgin Avenue, approximately 1220 lineal feet.
 - B. A masonry wall and 8.5' wide landscaping area along the north side of Almond Drive from the project's east boundary westerly to Stockton Street, including the angled corner sections at Blackbird Place and Stockton Street, approximately 340 lineal feet.
 - C. Street parkway trees located with the public street within the District Zone 1 boundary.
 - D. Public park land area of 0.820 acres in size equivalent to current level of service standard for park area within the City of 3.5 acres per thousand persons served.

ALLOCATION OF COSTS

Assessments for the Almondwood Estates Landscape Maintenance District are apportioned in a manner intended to fairly distribute the amounts among all assessable developed parcels in proportion to the estimated benefits to be received by each such parcel. A parcel is considered as being developed by reason of having been included as a lot or parcel in the Almondwood Estates recorded Final Map or being included within the active developed area in the case of an existing parcel. The criteria for apportioning the costs for the maintenance makes use of a dwelling unit equivalent Factor (dueF) to calculate the benefit for all uses in terms of equivalent dwelling units. The terms, definitions, and procedures followed to develop the annual assessments are as follows:

1. Dwelling Unit Equivalent Factor (dueF)

The dueF for each use is as follows:

E. Single-Family Residential

All parcels determined to be developed for single-family use shall have a dueF of 1.0 for each parcel.

F. Multiple-Family Residential

All parcels determined to be developed for multiple-family residential, other than duplex or triplex uses, shall have a dueF of 5.0 per acre for each parcel, in general representative of the approximate single-family yield if the area were developed for that use.

C. Commercial/Office

All parcels determined to be developed for commercial or office uses shall have the dueF factor calculated as follows:

5 dueF per acre for the first 7.5 acres

2.5 dueF per acre for the next 7.5 acres

1.25 dueF per acre for all acreage over 15 acres.

D. Other Uses

All parcels determined to have uses other than identified above shall have a dueF established at the time of the first annual budget affecting such areas as determined by the Engineer or other officer appointed by the City of Lodi to prepare the annual cost spread. The determined dueF shall follow the character of the factors assigned above as nearly as practicable, but the determination shall be the sole responsibility of the appointed party and the City of Lodi.

E. Zero Dwelling Unit Equivalent Factor (dueF)

Certain parcels, by reason of use, size, shape, or state of development, may be assigned a zero dueF which will consequently result in a zero assessment for that fiscal year. All parcels having such a zero dueF for the previous fiscal year shall annually be reconsidered to determine if the reason for assigning the zero dueF is still valid for the next fiscal year. Parcels which may be expected to have a zero dueF assigned are typically parcels which are all, or nearly all, publicly landscaped, parcels in public ownership, parcels owned by a public utility company and/or used for public utilities, public parks, public schools, and remainder parcels too small or narrow for reasonable residential or commercial use, unless actually in use.

2. Area Adjustments

Parcels which have an assessment determined by area and which have a portion of the parcel occupied by public or public utility uses separate from the entitled use and located in easements, prior to the multiplication by the dueF, shall have the area of the parcel adjusted to a usable area to reflect the loss or partial loss of the entitled use in those areas. This reduction shall not apply for normal peripheral and interior lot line public utility easements generally existing over the whole subdivision.

3. Compilation

Annually, about May 15, following the determination of the dwelling unit equivalent Factor (dueF) for all developed parcels and the determination of the list of developed parcels by APN for the next fiscal year, all single-family or duplex/triplex residential parcels shall have a dwelling unit equivalent (due) assigned to each parcel equal to the dueF for that parcel. For all parcels other than single-family or duplex/triplex residential parcels, the product of the dueF times the area or adjusted usable area of the parcel, as appropriate, shall be calculated and shall be the due assigned. For developed parcels, the sum of the due assigned to each single-family due for each other parcel shall equal the total due for the next fiscal year. The total amount of revenue required for the next fiscal year shall then be divided by the total due to calculate the assessment per due for the next fiscal year. Parcels defined as not developed for the purposes of determining the landscape maintenance assessments will all have a zero dueF and consequently a zero due and a zero assessment.

4. Allocation of Assessments

The assessment for wall maintenance for the next fiscal year shall then be set for each parcel as the product of the calculated dwelling unit equivalent (due) for each parcel, multiplied by the assessment per due for the next fiscal year.

METHOD OF ASSESSMENT SPREAD

In compliance with the provisions of Proposition 218, adding Article XIII D to the California Constitution, the benefits conferred on each parcel within the Lodi Consolidated Landscape Maintenance District No. 1 are particular and distinct benefits (hereinafter "special benefits") over and above general benefits conferred on such property or to the public at large, in that the individual letter-designated zones in the District each represents a common unit to provide landscape, park, and related amenity maintenance, and monitored irrigation for the development of the property within the individual letter-designated zones in the District generally for residential and related urban uses. Benefits are determined to be 100% special benefits and 0% general benefits. Also, in keeping with the requirements of Proposition 218, no annual individual assessments shall be increased above the amounts assessed under the established criteria for each zone for the preceding fiscal year without an election approval.

The base objective of the assessment spread is to distribute costs in accordance with the benefits received. Costs will be spread equally to each residential lot as follows:

1. Lots 1-74 in Almondwood Estates shall be assessed equally for the estimated costs of maintenance for the fiscal year 2004-2005.

ANNUAL ESCALATION

The maximum assessment amount for each fiscal year shall be increased in an amount equal to the greater of: 1) five percent (5.0%), or 2) the percentage increase of the Local Consumer Price Index (CPI). Consumer Price Index applied is for the San Francisco-Oakland-San Jose County Area for All Urban Consumers, as developed by the U.S. Bureau of Labor Statistics for a similar period of time.

ADMINISTRATION

It is intended that the City of Lodi, either directly or by subcontract, shall have the responsibility to establish an ongoing Landscape Maintenance Management entity to be known as the Landscape Maintenance District Manager which shall be responsible to establish the annual budget, keep an accounting of the maintenance and operational administrative costs, administer and perform the landscape maintenance either directly or by subcontract, pay all fees, utility costs, taxes, and any and all other operating costs.

ESTIMATE OF COSTS

The location and size of a park serving this subdivision are designated in Park, Recreation and Open Space Plan (1994). The estimated costs are for public amenity maintenance only. All improvements will be installed at no cost to the Landscape Maintenance Assessment District. The assessment will not be levied until needed, upon development and City acceptance of the improvements.

Items considered in the maintenance cost include, but are not limited to: water for plants and trees, weeding, pruning, mowing, replacement of plants and trees that may die, maintenance of pavement and sidewalks, maintenance of walls, rebuilding damaged walls, removal of graffiti, and maintaining and replacing all sprinkler lines and heads.

The annual costs estimated to be collected with the 2004-2005 taxes for the developed areas are as follows:

	FY 2004-05 ESTIMATED <u>ASSESSMENT</u>	FY 2004-05 MAXIMUM <u>ASSESSMENT</u>
OPERATION COSTS		
Landscape		
Maintenance	\$5,500.00	\$5,500.00
Repair/Replacement	\$700.00	\$700.00
Water	\$300.00	\$300.00
Electricity	\$200.00	\$200.00
Replacement Reserve	<u>\$300.00</u>	<u>\$300.00</u>
Subtotal Landscape	\$7,000.00	\$7,000.00
Street Trees	\$1,900.00	\$1,900.00
Future Park Site	\$0.00	\$8,200.00
Walls		
Repair/Maintenance/Graffiti Control	\$2,700.00	\$2,700.00
Replacement Reserve	<u>\$1,600.00</u>	<u>\$1,600.00</u>
Subtotal Walls	\$4,300.00	\$4,300.00
Subtotal Operation Costs	\$13,200.00	\$21,400.00

	FY 2004-05 ESTIMATED <u>ASSESSMENT</u>	FY 2004-05 MAXIMUM <u>ASSESSMENT</u>
DISTRICT ADMINISTRATION COSTS		
Annual Engineer's Report	\$4,000.00	\$4,000.00
Publication	\$100.00	\$100.00
City Administration Fee	\$2,000.00	\$2,000.00
County Administration Fee	<u>\$900.00</u>	<u>\$900.00</u>
Subtotal Administration Costs	\$7,000.00	\$7,000.00
Contingency	\$1,408.00	\$1,422.00
Total Estimated Revenue Required for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total Appropriation Required from Existing Fund Balance	\$0.00	\$0.00
Total Estimated Assessment for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total dueF	74	74
Assessment per dueF	\$292.00	\$403.00
MAXIMUM ANNUAL ASSESSMENT		\$403.00

ASSESSMENT ROLL

The assessment roll for the fiscal year 2004-2005 is as follows:

Assessment No.	APN No.	Future Lot Nos.	Owner	No. of Residential Lots	2004-2005 Est. Assessment Amount	2004-2005 Max. Annual Assessment Amount
1	062-060-04	Lots 1-27, 28 (portion), 64 (portion), 66 (portion), 67-74	Concord Development Inc.	36	\$10,512.00	\$14,508.00
2	062-060-12	28 (portion), 29-35, 36 (portion), 54-56 (portion), 57-63, 64 (portion), 65, 66 (portion)	Concord Development Inc.	19	\$5,548.00	\$7,657.00
3	062-060-13	36 (portion), 37-53, 54-56 (portion)	Allen H. Liu	19	\$5,548.00	\$7,657.00
Total				74	\$21,608.00	\$29,822.00

The parcels in this subdivision are expected to subdivide upon and subsequent to the formation of Zone 1. The proposed subdivision will yield approximately 74 parcels (residential lots) and will have a proposed assessment roll, based on the above criteria and budget, set forth in Exhibit A.

The foregoing Engineer's Report and the estimate of costs, as well as the Assessment Diagram and Assessment Roll, which are attached hereto, are presented for your approval by resolution dated this _____ day of _____, 2003.

THOMPSON-HYSELL ENGINEERS
Engineer of Work

BY: _____
Michael T. Persak
RCE 44908

EXHIBIT 4**SUMMARY OF ESTIMATED DISTRICT COSTS**

	FY 2004-05 ESTIMATED ASSESSMENT	FY 2004-05 MAXIMUM ASSESSMENT
OPERATION COSTS		
Landscape		
Maintenance	\$5,500.00	\$5,500.00
Repair/Replacement	\$700.00	\$700.00
Water	\$300.00	\$300.00
Electricity	\$200.00	\$200.00
Replacement Reserve	<u>\$300.00</u>	<u>\$300.00</u>
Subtotal Landscape	\$7,000.00	\$7,000.00
Street Trees	\$1,900.00	\$1,900.00
Public Park Area	\$0.00	\$8,200.00
Walls		
Repair/Maintenance/Graffiti Control	\$2,700.00	\$2,700.00
Replacement Reserve	<u>\$1,600.00</u>	<u>\$1,600.00</u>
Subtotal Walls	\$4,300.00	\$4,300.00
Subtotal Operation Costs	\$13,200.00	\$21,400.00
DISTRICT ADMINISTRATION COSTS		
Annual Engineer's Report	\$4,000.00	\$4,000.00
Publication	\$100.00	\$100.00
City Administration Fee	\$2,000.00	\$2,000.00
County Administration Fee	<u>\$900.00</u>	<u>\$900.00</u>
Subtotal Administration Costs	\$7,000.00	\$7,000.00
Contingency	\$1,408.00	\$1,422.00
Total Estimated Revenue Required for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total Appropriation Required from Existing Fund Balance	\$0.00	\$0.00
Total Estimated Assessment for 2004-2005 Fiscal Year	\$21,608.00	\$29,822.00
Total dueF 74	74	
Assessment per dueF	\$292.00	\$403.00

EXHIBIT 5
ASSESSMENT ROLL
ALMONDWOOD ESTATES
LODI CONSOLIDATED LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT NO. 1
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)
CITY OF LODI, CA

DIAGRAM NUMBER	COUNTY ASSESSOR NUMBER	UNIT NO.	LOT NO.	FY 2004-2005 ESTIMATED ASSESSMENT	FY 2004-2005 MAXIMUM ASSESSMENT
				AMOUNT	AMOUNT
1	062-060-04	Almondwood Estates	Lot No. 1	\$292.00	\$403.00
2	062-060-04	Almondwood Estates	Lot No. 2	\$292.00	\$403.00
3	062-060-04	Almondwood Estates	Lot No. 3	\$292.00	\$403.00
4	062-060-04	Almondwood Estates	Lot No. 4	\$292.00	\$403.00
5	062-060-04	Almondwood Estates	Lot No. 5	\$292.00	\$403.00
6	062-060-04	Almondwood Estates	Lot No. 6	\$292.00	\$403.00
7	062-060-04	Almondwood Estates	Lot No. 7	\$292.00	\$403.00
8	062-060-04	Almondwood Estates	Lot No. 8	\$292.00	\$403.00
9	062-060-04	Almondwood Estates	Lot No. 9	\$292.00	\$403.00
10	062-060-04	Almondwood Estates	Lot No. 10	\$292.00	\$403.00
11	062-060-04	Almondwood Estates	Lot No. 11	\$292.00	\$403.00
12	062-060-04	Almondwood Estates	Lot No. 12	\$292.00	\$403.00
13	062-060-04	Almondwood Estates	Lot No. 13	\$292.00	\$403.00
14	062-060-04	Almondwood Estates	Lot No. 14	\$292.00	\$403.00
15	062-060-04	Almondwood Estates	Lot No. 15	\$292.00	\$403.00
16	062-060-04	Almondwood Estates	Lot No. 16	\$292.00	\$403.00
17	062-060-04	Almondwood Estates	Lot No. 17	\$292.00	\$403.00
18	062-060-04	Almondwood Estates	Lot No. 18	\$292.00	\$403.00
19	062-060-04	Almondwood Estates	Lot No. 19	\$292.00	\$403.00
20	062-060-04	Almondwood Estates	Lot No. 20	\$292.00	\$403.00
21	062-060-04	Almondwood Estates	Lot No. 21	\$292.00	\$403.00
22	062-060-04	Almondwood Estates	Lot No. 22	\$292.00	\$403.00
23	062-060-04	Almondwood Estates	Lot No. 23	\$292.00	\$403.00
24	062-060-04	Almondwood Estates	Lot No. 24	\$292.00	\$403.00
25	062-060-04	Almondwood Estates	Lot No. 25	\$292.00	\$403.00
26	062-060-04	Almondwood Estates	Lot No. 26	\$292.00	\$403.00
27	062-060-04	Almondwood Estates	Lot No. 27	\$292.00	\$403.00
28	062-060-04,	Almondwood Estates	Lot No. 28		
	062-060-12			\$292.00	\$403.00
29	062-060-12	Almondwood Estates	Lot No. 29	\$292.00	\$403.00
30	062-060-12	Almondwood Estates	Lot No. 30	\$292.00	\$403.00
31	062-060-12	Almondwood Estates	Lot No. 31	\$292.00	\$403.00
32	062-060-12	Almondwood Estates	Lot No. 32	\$292.00	\$403.00
33	062-060-12	Almondwood Estates	Lot No. 33	\$292.00	\$403.00
34	062-060-12	Almondwood Estates	Lot No. 34	\$292.00	\$403.00
35	062-060-12	Almondwood Estates	Lot No. 35	\$292.00	\$403.00
36	062-060-12,	Almondwood Estates	Lot No. 36		
	062-060-13			\$292.00	\$403.00
37	062-060-13	Almondwood Estates	Lot No. 37	\$292.00	\$403.00
38	062-060-13	Almondwood Estates	Lot No. 38	\$292.00	\$403.00
39	062-060-13	Almondwood Estates	Lot No. 39	\$292.00	\$403.00
40	062-060-13	Almondwood Estates	Lot No. 40	\$292.00	\$403.00
41	062-060-13	Almondwood Estates	Lot No. 41	\$292.00	\$403.00
42	062-060-13	Almondwood Estates	Lot No. 42	\$292.00	\$403.00

DIAGRAM NUMBER	COUNTY ASSESSOR NUMBER	UNIT NO.	LOT NO.	FY 2004-2005 ESTIMATED ASSESSMENT	FY 2004-2005 MAXIMUM ASSESSMENT
				AMOUNT	AMOUNT
43	062-060-13	Almondwood Estates	Lot No. 43	\$292.00	\$403.00
44	062-060-13	Almondwood Estates	Lot No. 44	\$292.00	\$403.00
45	062-060-13	Almondwood Estates	Lot No. 45	\$292.00	\$403.00
46	062-060-13	Almondwood Estates	Lot No. 46	\$292.00	\$403.00
47	062-060-13	Almondwood Estates	Lot No. 47	\$292.00	\$403.00
48	062-060-13	Almondwood Estates	Lot No. 48	\$292.00	\$403.00
49	062-060-13	Almondwood Estates	Lot No. 49	\$292.00	\$403.00
50	062-060-13	Almondwood Estates	Lot No. 50	\$292.00	\$403.00
51	062-060-13	Almondwood Estates	Lot No. 51	\$292.00	\$403.00
52	062-060-13	Almondwood Estates	Lot No. 52	\$292.00	\$403.00
53	062-060-13	Almondwood Estates	Lot No. 53	\$292.00	\$403.00
54	062-060-12, 062-060-13	Almondwood Estates	Lot No. 54	\$292.00	\$403.00
55	062-060-12, 062-060-13	Almondwood Estates	Lot No. 55	\$292.00	\$403.00
56	062-060-12, 062-060-13	Almondwood Estates	Lot No. 56	\$292.00	\$403.00
57	062-060-12	Almondwood Estates	Lot No. 57	\$292.00	\$403.00
58	062-060-12	Almondwood Estates	Lot No. 58	\$292.00	\$403.00
59	062-060-12	Almondwood Estates	Lot No. 59	\$292.00	\$403.00
60	062-060-12	Almondwood Estates	Lot No. 60	\$292.00	\$403.00
61	062-060-12	Almondwood Estates	Lot No. 61	\$292.00	\$403.00
62	062-060-12	Almondwood Estates	Lot No. 62	\$292.00	\$403.00
63	062-060-12	Almondwood Estates	Lot No. 63	\$292.00	\$403.00
64	062-060-04, 062-060-12	Almondwood Estates	Lot No. 64	\$292.00	\$403.00
65	062-060-12	Almondwood Estates	Lot No. 65	\$292.00	\$403.00
66	062-060-04, 062-060-12	Almondwood Estates	Lot No. 66	\$292.00	\$403.00
67	062-060-04	Almondwood Estates	Lot No. 67	\$292.00	\$403.00
68	062-060-04	Almondwood Estates	Lot No. 68	\$292.00	\$403.00
69	062-060-04	Almondwood Estates	Lot No. 69	\$292.00	\$403.00
70	062-060-04	Almondwood Estates	Lot No. 70	\$292.00	\$403.00
71	062-060-04	Almondwood Estates	Lot No. 71	\$292.00	\$403.00
72	062-060-04	Almondwood Estates	Lot No. 72	\$292.00	\$403.00
73	062-060-04	Almondwood Estates	Lot No. 73	\$292.00	\$403.00
74	062-060-04	Almondwood Estates	Lot No. 74	\$292.00	\$403.00
TOTAL				\$21,608.00	\$29,822.00

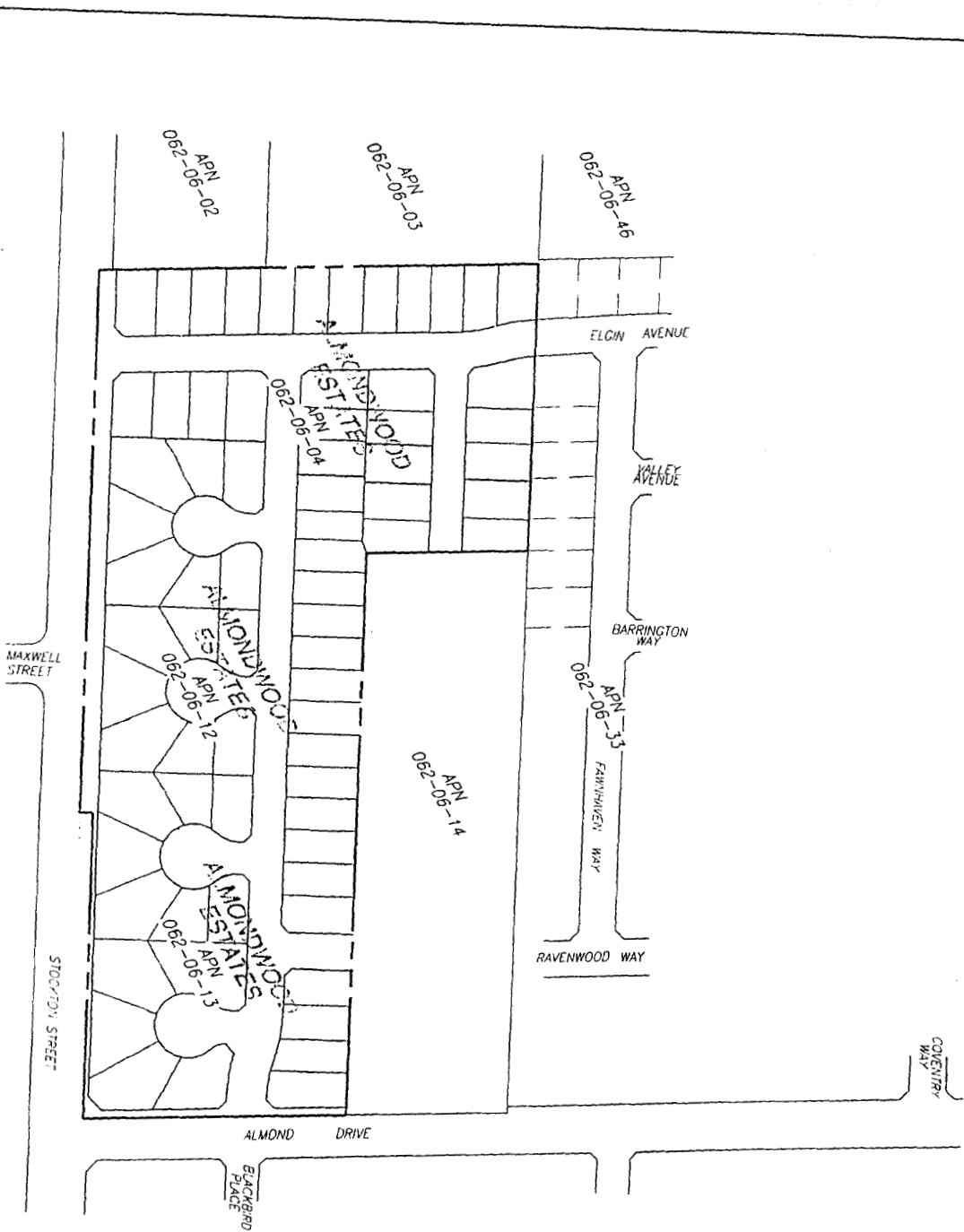
ALMONDWOOD ESTATES BOUNDARY MAP

SCALE 1" = 150'

PROJECT SUMMARY
ALMONDWOOD ESTATES 74 d.u.'s

PROPOSED ANNEXATION
BOUNDARY

EXHIBIT B



ASSESSMENT DIAGRAM, ZONE 1
ALMONDWOOD ESTATES
CITY OF LODI CONSOLIDATED LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT
NO. 2003-1 CITY OF LODI,
SAN JOAQUIN COUNTY
STATE OF CALIFORNIA

BEING THE NORTH EAST PORTION OF SECTION 13
T.3 N., R. 5 E., M. D. B. & M.,
CITY OF LODI,
SAN JOAQUIN COUNTY, CALIFORNIA

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF LODI THIS
OF 2003.

CITY CLERK OF THE CITY OF LODI

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS
OF 2003.

SUPERINTENDENT OF STREETS
OF THE CITY OF LODI

RECORDED THIS DAY OF 2003 AT THE HOUR
OF O'CLOCK M. IN BOOK PAGE
MAP OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF
THE COUNTY RECORDER OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA

COUNTY RECORDER
OF SAN JOAQUIN COUNTY, CALIFORNIA

NOTES:

1. ASSESSMENTS APPLY ONLY TO LAND LOCATED WITHIN
THE CITY OF LODI AND WITHIN THE DESIGNATED
ASSESSOR'S PARCELS.
2. THE EFFECTIVE DATE FOR THE ASSESSMENT DIAGRAM
IS 2003.
3. THE ASSESSMENT DIAGRAM CONSISTS OF SHEET NO. 1
TO IDENTIFY THE OVERALL CONFIGURATION OF THE
DISTRICT AND SHEET NO. 2 & 3 WHICH IS A SAN JOAQUIN
COUNTY ASSESSOR'S MAPS.

LEGEND:

NEW DISTRICT BOUNDARY

ASSESSMENT DIAGRAM INDEX

BOOK	PAGE	PARCELS
062	060	4, 12, 13

EXHIBIT C

SHEET 1 OF 2



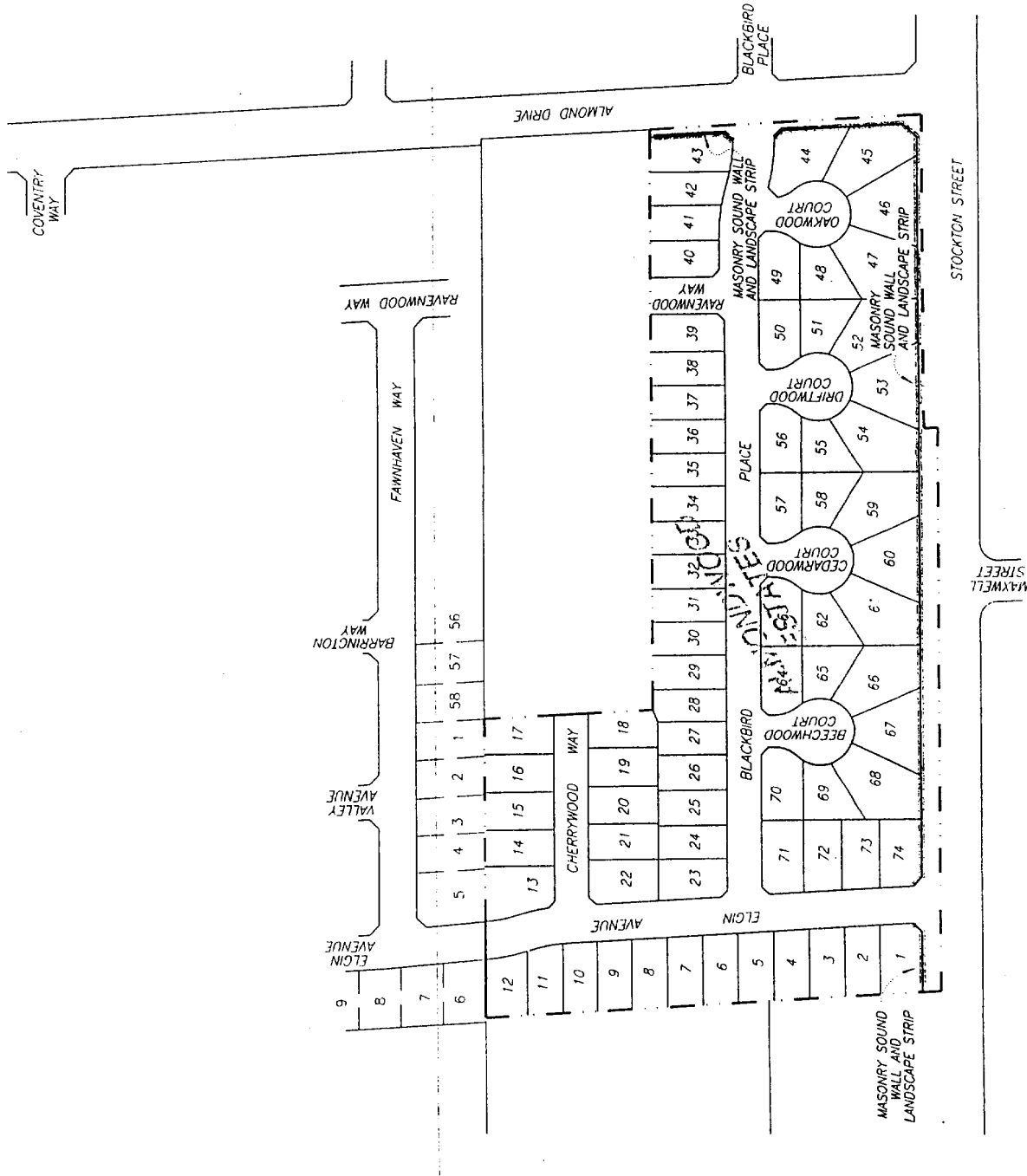
THOMPSON-HYSELL
ENGINEERS
A DIVISION OF THE HETCO CORPORATION, INC.
1016 12TH STREET, WAREHOUSING, CA 95344 (209) 851-4900

ALMONDWOOD ESTATES AREAS TO BE MAINTAINED

SCALE 1" = 150'

— DISTRICT BOUNDARY
— PROPOSED IMPROVEMENTS
TO BE MAINTAINED

EXHIBIT D



CITY COUNCIL

SUSAN HITCHCOCK, Mayor
EMILY HOWARD
Mayor Pro Tempore
JOHN BECKMAN
LARRY D. HANSEN
KEITH LAND

CITY OF LODI
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET

P.O. BOX 3006

LODI, CALIFORNIA 95241-1910

(209) 333-6706

FAX (209) 333-6710

EMAIL pwdept@lodi.gov

<http://www.lodi.gov>

H. DIXON FLYNN
City Manager

SUSAN J. BLACKSTON
City Clerk

RANDALL A. HAYS
City Attorney

RICHARD C. PRIMA, JR.
Public Works Director

August 15, 2003

Mr. Ed Cornejo
KBHome
611 Orange Drive
Vacaville, CA 95687

Mr. Mike Persak
Thompson-Hysell Engineers
1016 12th Street
Modesto, CA 95354

SUBJECT: Adopt Resolution of Preliminary Determination to Propose the Formation of a Maintenance Assessment District, to Levy an Annual Assessment for Cost Incurred and Preliminary Approval of Engineer's Report; and Adopt Resolution of Intention to Order the Formation of a Maintenance Assessment District, to Levy and Collect an Annual Assessment for Maintenance and Operation of Improvements and for Costs and Expenses and Setting Time and Place of Public Meeting and Public Hearing and Setting Forth Mailed Property Owner Ballot Procedure and Notice

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, August 20, 2003. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the regular calendar for Council discussion. You are welcome to attend.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Wally Sandelin, City Engineer, at (209) 333-6709.

R. Prima

for: Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk

NMAINTENANCEASSESSMENTDISTRICT